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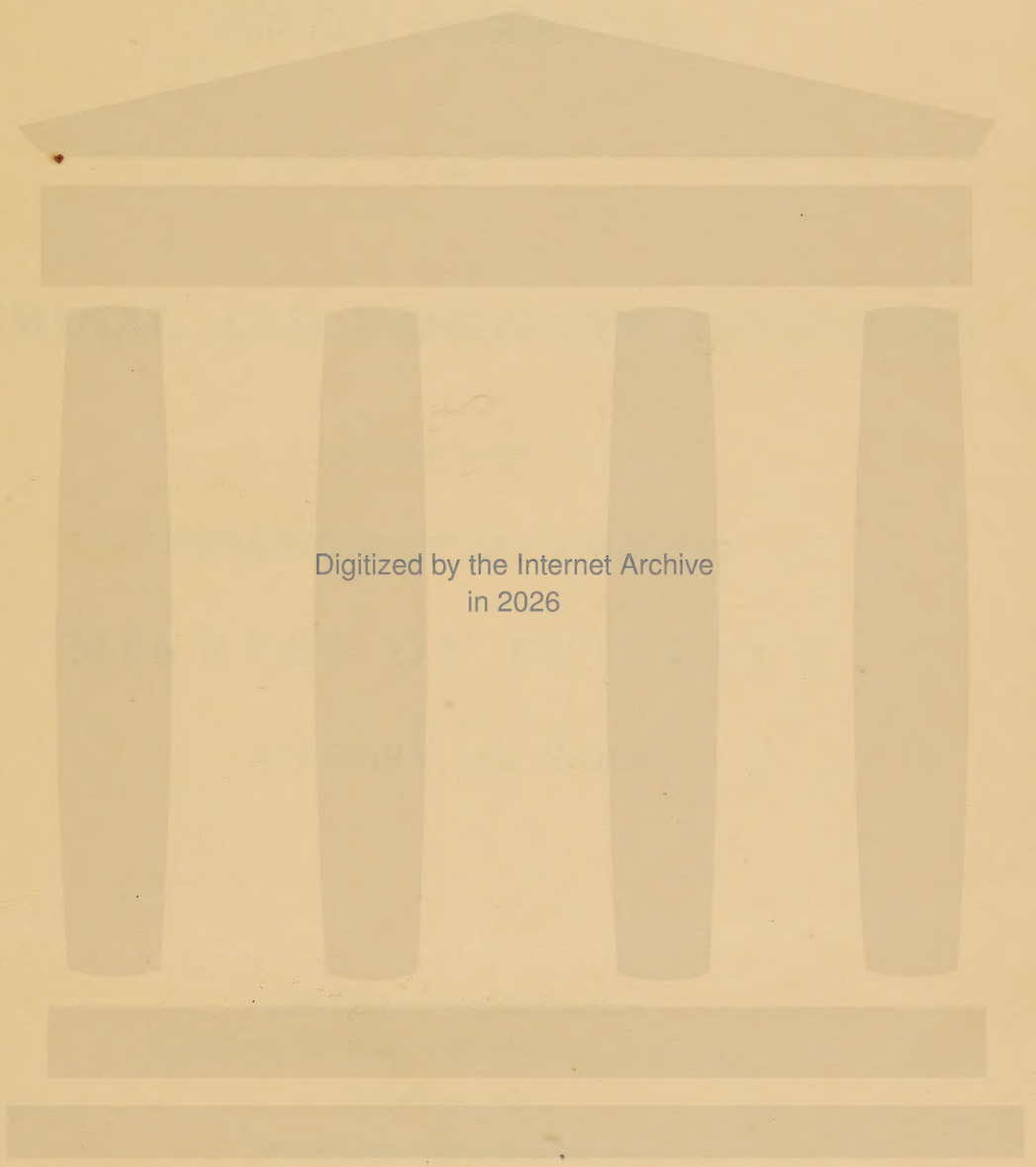

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REPORT

FROM THE

SELECT COMMITTEE

ON

CRIMINAL AND DESTITUTE JUVENILES;

TOGETHER WITH THE

PROCEEDINGS OF THE COMMITTEE,

MINUTES OF EVIDENCE,

APPENDIX AND INDEX.

Ordered, by The House of Commons, *to be Printed,*
24 *June* 1852.

Jovis, 6° die Maii, 1852.

Ordered, THAT a Select Committee be appointed to inquire into the present Treatment of Criminal and Destitute Juveniles in this Country, and what Changes are desirable in their present Treatment, in order to supply Industrial Training, and to combine Reformation with the due Correction of Juvenile Crime.

Committee nominated, of—

Sir William Jolliffe.
Mr. Baines.
Mr. Tufnell.
Mr. Monckton Milnes.
Mr. Sidney Herbert.
Mr. Robert Palmer.
The Marquis of Blandford.
Mr. Miles.
Mr. Cowper,
Mr. Monsell.
Mr. Adderley.
Mr. Cornwall Legh.
Mr. Headlam.
Mr. Hardcastle.
Mr. M'Cullagh.

Ordered, THAT the Committee have power to send for Persons, Papers, and Records.

Ordered, THAT Five be the Quorum of the said Committee.

Lunæ, 10° die Maii, 1852.

Ordered, THAT Mr. Fitzroy be added to the Committee.

Mercurii, 19° die Maii, 1852.

Ordered, THAT Mr. Tatton Egerton be added to the Committee.

Jovis, 20° die Maii, 1852.

Ordered, THAT the Orders of the 10th and 19th May, "That Mr. Fitzroy and Mr. Tatton Egerton be added to the Committee," be read, and discharged.

Ordered, THAT the Committee do consist of 17 Members.

Ordered, THAT Mr. Fitzroy and Mr. Tatton Egerton be added to the Committee.

Jovis, 24° die Junii, 1852.

Ordered, THAT the Committee have power to Report their Observations, together with the Minutes of Evidence taken before them, to The House.

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REPORT.

THE SELECT COMMITTEE appointed to inquire into the present Treatment of CRIMINAL and DESTITUTE JUVENILES in this Country, and what Changes are desirable in their present Treatment, in order to supply Industrial Training, and to combine Reformation with the due Correction of Juvenile Crime; and who were empowered to Report the Minutes of Evidence taken before them to The House :——

HAVE made progress in the consideration of the matter referred to them, and have examined several Witnesses, from whom they have received much important information; but at the same time they consider the inquiry so far from complete, that, having regard to the approaching Prorogation of Parliament, they do not feel themselves in a position to offer any definite opinion to The House on the questions referred to them, and they have, therefore, agreed simply to Report the Evidence taken up to the present time, and to recommend to The House an early resumption of the inquiry.

24 *June* 1852.

PROCEEDINGS OF THE COMMITTEE.

Veneris, 7° *die Maii*, 1852.

MEMBERS PRESENT:

Mr. Baines.	Mr. Monckton Milnes.
Mr. Adderley.	Mr. Hardcastle.
Mr. Tufnell.	Sir William Jolliffe.
Mr. R. Palmer.	Mr. Cowper.
Marquis of Blandford.	Mr. M'Cullagh.
Mr. Legh.	

Mr. BAINES was called to the Chair.

The Committee deliberated.

Mr. *Adderley* stated that Mr. Sydney Turner would be prepared to attend and give evidence.

[Adjourned to Tuesday, at Twelve.

Martis, 11° *die Maii*, 1852.

MEMBERS PRESENT:

Mr. BAINES in the Chair.

Sir W. Jolliffe.	Mr. Monckton Milnes.
Mr. Miles.	Mr. Adderley.
Mr. Legh.	Marquis of Blandford.
Mr. Tufnell.	Mr. Fitzroy.
Mr. Sidney Herbert.	Mr. Robert Palmer.
Mr. Hardcastle.	Mr. Cowper.

The Committee examined Captain *Williams* and the Rev. *Sydney Turner*.

[Adjourned to Friday, at Twelve.

Veneris, 14° *die Maii*, 1852.

MEMBERS PRESENT:

Mr. BAINES in the Chair.

Sir W. Jolliffe.	Mr. Tufnell.
Mr. Monckton Milnes.	Mr. R. Palmer.
Mr. Adderley.	Mr. Monsell.
Mr. Cowper.	Marquis of Blandford.
Mr. Legh.	Mr. Fitzroy.
Mr. Miles.	Mr. Sidney Herbert.

The Committee examined Mr. *Matthew Davenport Hill*.

[Adjourned to Tuesday, at Twelve.

Martis, 18° *die Maii*, 1852.

MEMBERS PRESENT:

Mr. BAINES in the Chair.

Mr. Sidney Herbert.	Marquis of Blandford.
Mr. Tufnell.	Mr. Legh.
Mr. Monsell.	Mr. Adderley.
Mr. R. Palmer.	Mr. Monckton Milnes.
Mr. Hardcastle.	Mr. Cowper.
Mr. Fitzroy.	Sir W. Jolliffe.

The Committee further examined Mr. *Hill*, Mr. *Paynter*, and Lieutenant *Tracey*.

[Adjourned to Friday, at Twelve.

Veneris, 21° *die Maii*, 1852.

MEMBERS PRESENT:

Mr. BAINES in the Chair.

Mr. Palmer.	Mr. Legh.
Mr. Headlam.	Mr. Miles.
Mr. Tufnell.	Mr. Adderley.
Mr. Monckton Milnes.	Sir W. Jolliffe.
Mr. Cowper.	Marquis of Blandford.
Mr. Monsell.	Mr. Hardcastle.
Mr. Fitzroy.	

The Committee examined Mr. *Paynter* and Miss *Carpenter*.

[Adjourned to Tuesday, at Twelve.

Martis, 25° *die Maii*, 1852.

MEMBERS PRESENT:

Mr. BAINES in the Chair.

Sir W. Jolliffe.	Mr. Miles.
Mr. Monckton Milnes.	Mr. R. Palmer.
Mr. Cowper.	Mr. Adderley.
Mr. Monsell.	Mr. Fitzroy.
Mr. Tufnell.	Mr. Hardcastle.
Marquis of Blandford.	

The Committee examined Miss *Carpenter* and Mr. *Power*.

[Adjourned to Friday, at Twelve.

Veneris, 28° *die Maii*, 1852.

MEMBERS PRESENT:

Mr. BAINES in the Chair.

Mr. Miles.	Mr. Adderley.
Mr. Fitzroy.	Mr. Monckton Milnes.
Mr. Legh.	Sir W. Jolliffe.
Mr. Cowper.	Mr. M'Cullagh.
Mr. Monsell.	Mr. Tufnell.

Mr. *Power* was further examined.

Mr. *George Bunsen* was examined.

[Adjourned to Friday next, at Twelve.

Veneris, 4° *die Junii*, 1852.

MEMBERS PRESENT:

Mr. BAINES in the Chair.

Mr. Legh.	Mr. Adderley.
Mr. Miles.	Mr. Monckton Milnes.
Mr. Monsell.	Mr. Headlam.
Mr. Fitzroy.	Marquis of Blandford.
Mr. Tufnell.	

The Committee examined Mr. *George Bunsen*, the Rev. *J. Clay*, and Mr. *J. Ellis*.

[Adjourned to Tuesday, at Twelve.

Martis, 8° *die Junii*, 1852.

MEMBERS PRESENT:

Mr. BAINES in the Chair.

Mr. Fitzroy.	Mr. Palmer.
Sir W. Jolliffe.	Mr. Legh.
Mr. M. Milnes.	Mr. Miles.
Marquis of Blandford.	Mr. Monsell.
Mr. Adderley.	

The Committee examined Mr. Serjeant *Adams*.

[Adjourned to Friday, at Twelve.

Veneris, 11° *die Junii*, 1852.

MEMBERS PRESENT:

Mr. BAINES in the Chair.

Mr. Monsell.	Mr. Monckton Milnes.
Mr. Tatton Egerton.	Mr. Legh.
Mr. Sidney Herbert.	Mr. Tufnell.
Sir W. Jolliffe.	Mr. M'Cullagh.
Mr. Adderley.	

The Committee examined Mr. *Gilbert A'Beckett, M—— M——*, and Mr. *J. C. Symons*.

[Adjourned to Monday.

Lunæ, 14° *die Junii*, 1852.

MEMBERS PRESENT:

Mr. BAINES in the Chair.

Sir W. Jolliffe.	Mr. Adderley.
Mr. S. Herbert.	Mr. Fitzroy.
Marquis of Blandford.	Mr. Monckton Milnes.
Mr. Tatton Egerton.	Mr. Monsell.
Mr. Legh.	Mr. Miles.
Mr. R. Palmer.	

The Committee examined the Governor and Chaplain of Parkhurst Gaol, and the Rev. *J. J. Spear*.

[Adjourned to To-morrow.

Martis, 15° *die Junii*, 1852.

MEMBERS PRESENT:

Mr. BAINES in the Chair.

Mr. Fitzroy.	Mr. C. Legh.
Mr. Miles.	Mr. T. Egerton.
Mr. Adderley.	Sir W. Joliffe.
Mr. R. Palmer.	Mr. Headlam.
Mr. M. Milnes.	

Mr. *Thompson* and Mr. *Locke*, examined.

[Adjourned to Friday, at Twelve.

Veneris, 18° *die Junii*, 1852.

MEMBERS PRESENT:

Mr. BAINES in the Chair.

Mr. Fitzroy.	Mr. Miles.
Mr. Adderley.	Mr. Legh.
Mr. Tatton Egerton.	Marquis of Blandford.
Mr. R. Palmer.	Mr. Monckton Milnes.
Mr. S. Herbert.	

The Committee examined Mr. *M'Gregor*, Mr. *Oliphant*, and Mr. *Wright*.

[Adjourned to Tuesday, at One.

Martis, 22° *die Junii*, 1852.

MEMBERS PRESENT:

Mr. BAINES in the Chair.

Mr. W. T. Egerton.	Mr. Cornwall Legh.
Mr. Miles.	Sir W. Jolliffe.
Mr. Monsell.	Mr. Robert Palmer.
Mr. Fitzroy.	Marquis of Blandford.
Mr. Adderley.	Mr. Monckton Milnes.

Mr. *Ball*, Lieutenant-colonel *Jebb*, and Captain *Williams* examined.

The Committee agreed to the following Report:

"The Select Committee appointed to inquire into the present treatment of Criminal and Destitute Juveniles in this country, and what changes are desirable in their present treatment, in order to supply industrial training, and to combine reformation with the due correction of juvenile crime; and who were empowered to report the Minutes of Evidence taken before them to The House:—

"Have made progress in the consideration of the matter referred to them, and have examined several witnesses, from whom they have received much important information; but at the same time they consider the inquiry so far from complete, that, having regard to the approaching prorogation of Parliament, they do not feel themselves in a position to offer any definite opinion to The House on the questions referred to them, and they have therefore agreed simply to report the Evidence taken up to the present time, and to recommend to The House an early resumption of the inquiry."

Resolved, THAT this, together with the Minutes of Evidence, be the Report to The House.

To report.

EXPENSES OF WITNESSES.

NAME of WITNESS.	Profession or Conditon.	By what Member of Committee Motion made for Attendance of the Witness.	Date of Arrival.	Date of Discharge.	Total Number of Days in London.	Number of Days under Examination by Committee, or acting specially under their Orders.	Expenses of Journey to London and back.	Expenses in London.	TOTAL Expenses allowed to Witness.
							£. s. d.	£. s. d.	£. s. d.
Miss Mary Carpenter -	- - - -	Mr. Adderley	20 May	26 May	- - -	10	2 16 –	10 10 –	13 6 –
George Hall - - -	Governor of Parkhurst.	Chairman -	13 June	15 June	3	3	2 17 –	3 3 –	6 – –
Rev. John Spear - -	Chaplain of ditto -	Chairman -	13 –	15 –	3	3	2 17 –	3 3 –	6 – –
Mr. John Ball - -	Poor-Law Commissioner.	Mr. Monsell	- -	- -	- -	3	7 10 –	3 3 –	10 13 –
								£.	35 19 –

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Martis, 11° die Maii, 1852.

MEMBERS PRESENT:

Sir William Jolliffe.	The Marquis of Blandford.
Mr. Baines.	Mr. Cornwall Legh.
Mr. M. Milnes.	Mr. Fitzroy.
Mr. S. Herbert.	Mr. Tufnell.
Mr. R. Palmer.	Mr. Miles.

THE RIGHT HON. M. T. BAINES, IN THE CHAIR.

Captain *William John Williams,* called in; and Examined.

Captain *W. J. Williams.*

11 May 1852.

1. ARE you Inspector of Prisons for the Home District?—I am.

2. How long have you filled that office?—I have filled the office of inspector of prisons nearly 16 years. I was formerly inspector for the northern and eastern district, comprising the manufacturing counties.

3. When did you become inspector of prisons for the home district?—Between three and four years ago.

4. And have continued so to this time?—Yes.

5. Has your attention been turned particularly to the subject of the treatment of juvenile offenders?—It has been very particularly so, even shortly after my first appointment. I was attracted to it by the very large number of juvenile youthful offenders in the northern district, particularly in the towns of Liverpool and Manchester. I have now by me a report of the state of juvenile delinquency in Liverpool, which was made by me in 1841, of rather an elaborate nature; but on looking at it within the last few days, I see no reason to alter my opinion in any way on the subject, and I beg to put it in.

6. That contains the suggestions, or some of the suggestions, which you would still think it desirable to recommend to Parliament?—There are some suggestions made at that time arising out of the facts of the report, the state of Liverpool and one or two other prisons in connexion with the prevalence of juvenile delinquency; but with regard to suggestions, I have made other suggestions to the Home Department of a more recent date.

7. Do you see any reason to alter or qualify in any way the suggestions you have made in the paper you hand in?—None whatever.

8. Has your subsequent experience confirmed your opinion that those are correct?—My subsequent experience has induced me to make further suggestions, and to come closer to the subject, in a remedial point of view, than I did before.

9. What is the date of that report?—One thousand eight hundred and forty-one.

10. Is that a report called for by some Government authority?—It formed a portion of my report as inspector of prisons for that district at the time. It emanated from myself entirely.

11. Does it refer to the towns of Manchester and Liverpool?—To the town of Liverpool more particularly than Manchester.

12. Was Mr. Rushton at that time the police magistrate of Liverpool?—Yes; and I believe I was the first person who turned his attention to the subject.

13. Mr. Rushton was a person who directed his attention particularly to that subject?—Yes.

14. Was he a very able and intelligent magistrate?—Very much so indeed.

Captain *W. J. Williams.*

11 May 1852.

15. A large portion of this report relates to causes peculiar to the town of Liverpool?—Yes; but those causes, by subsequent experience, have seemed to me to be peculiar not only to the town of Liverpool, but may be traced as the primary cause of juvenile delinquency in the metropolis as in the town of Liverpool.

16. Are you acquainted with the statutes that are at present in force relative to the treatment of juvenile delinquents. There are two relating peculiarly to that subject?—The first is an Act passed in the 1 & 2 Vict. c. 82, intituled, "An Act for establishing a Prison for Juvenile Offenders," passed in the year 1838; and 3 & 4 Vict. c. 90, intituled, "An Act for the Care and Education of Infants who may be convicted of Felony."

17. The first of those Acts gives the power of sending to Parkhurst Prison, and describes the manner in which the children are to be treated there?—Yes.

18. Within what limits of age?—By the Act there is no limit. The Act expressly says, that any prisoner sentenced to transportation or imprisonment may be sent to Parkhurst; but Parkhurst has been reserved for prisoners under sentence of transportation.

19. Practically it has been confined to children of that class?—Entirely so. This Act also contains a very beneficial clause, which is now being acted on to a very considerable extent, which is clause 11, by which young offenders who have been sentenced to transportation or imprisonment receive conditional pardons upon placing themselves at some charitable institution, such as the Philanthropic Society; and the great benefit of this clause is, its being in some degree compulsory; for the condition of the pardon is, that if a prisoner should either abscond, or not conform to the rules of the society, he may be taken before a magistrate, and, upon the oath of one credible witness, be committed for every such offence to a gaol or house of correction, with or without hard labour, for a period not exceeding three calendar months for the first offence, and not exceeding six calendar months for the second.

20. Has that provision been acted on very extensively?—Yes, as I will inform the Committee. There is this further provision in addition: if the managers or directors of such charitable institution should not receive such offender back, or if Her Majesty shall not be pleased to exercise her Royal Prerogative in pardoning the breach of the condition on which the former pardon was granted, the party shall forfeit all benefit of the said pardon, and be remitted to the original sentence, to undergo the residue thereof, as if no such pardon had been granted. Perhaps I had better detail how this clause has shown itself of such great value. When I was Inspector of Millbank Prison my attention was drawn to many of these boys, who were really so diminutive, and also of an age which seemed to render them quite unfit for transportation at all, or of even being sent to Parkhurst, as it was then managed; I therefore recommended that they should be sent to the Philanthropic Society under this conditional pardon. They were sent there, and the cases, in the great majority, turned out remarkably well. I was then induced to pay more attention to this society, and after some time recommended to the Secretary of State that it should be extended to young offenders in the prisons of the metropolis and elsewhere. Sir George Grey was pleased to consent to this, and I have since that time been selecting a number of boys from the Westminster House of Correction principally, and also from some other prisons, who have been sent to the Philanthropic Society at the charge of Government, and the experiment is still working remarkably well; indeed, has far exceeded my utmost expectations.

21. Mr. *Milnes.*] When you say "succeeded remarkably well," you mean that a small portion only of those boys have been recommitted?—A very small portion.

22. Mr. *Miles.*] What are the principles on which you have selected them?—When there are any boys required to fill up vacancies in the Philanthropic Society I go to the Westminster Bridewell, or the other prisons, and I confer with the chaplain and the governor upon the subject, and select a number of boys for examination. A boy is brought before me, in the presence of the chaplain, and I ask him if he is willing or has any wish to leave the life he is leading. If he says that he has, I proceed to take his examination in writing, telling him that it is in my power to recommend him for a conditional pardon, on condition of going to this charitable institution, and going abroad afterwards, if he wishes it. I also tell him that he must enter into an agreement, I may say with myself, for it is a sort of agreement

agreement between him and myself; that he must tell me everything that he has done or committed during the whole course of his life, in order that I may know that he is prepared to lead a new life and speak the truth hereafter; that if I detect him in any falsehood the condition is broken between us, and I cannot recommend him. In some cases they consent to this; in many they do not. I then proceed with their examination, and perhaps I may as well put in a series of examinations containing the history of these boys, as they are taken, and the recommendations that are made.

23. You have the power of checking the truth or falsehood by the report of the gaoler, after they are remitted to the different gaols?—These are not boys from Millbank. This is a new application of the Act of Parliament; they are prisoners under simple imprisonment.

24. Mr. *Adderley.*] New, since when?—New since the last two years and a half.

25. Are those by the order of the Secretary of State?—Yes, I recommend them to the Secretary of State, and the Secretary of State gives them a conditional pardon, on condition of their going to the Philanthropic Society, and conforming to its rules and regulations, and then they are sent abroad afterwards.

26. Mr. *Miles.*] Are such rules and regulations known to the public generally?—Yes.

27. Mr. *Palmer.*] As transports, or pardoned people?—They go abroad as free settlers.

28. Mr. *Adderley.*] In what way are the regulations presented to the public?—There were no regulations from the Home Secretary on the subject; they were merely requests to me in writing to select certain prisoners, whose cases might be thought deserving to be recommended for conditional pardons to the Philanthropic Society, to test the training of that institution.

29. Mr. *Miles.*] Is not that giving a great benefit to the boys of the metropolis over the boys of the country?—It is not confined to the boys of the metropolis. I have sent prisoners from Lewes County Gaol; I send them wherever I find boys fit for it.

30. You are one only of the inspectors that have done this; have other inspectors used the same power?—It has been limited.

31. Mr. *S. Herbert.*] Does the Government contribute towards the expense?—It pays the whole expense of their outfit abroad.

32. Mr. *Milnes.*] Does not the number of criminals supplied from the metropolis bear so large a proportion to the whole number, that an experiment of this kind is best made from the boys of the metropolis?—Decidedly so. I may not only say so, but the number of these youthful offenders is decreasing, I may say, in almost all other places except the metropolis, where it is on the increase, by the last returns I have.

33. Mr. *Miles.*] Are those returns criminal returns, or returns of juvenile offenders?—Juvenile offenders returns; I have compiled them for the use of the Committee.

34. Mr. *C. Legh.*] Have you examined any boys in Liverpool?—I have not.

35. Mr. *Palmer.*] What is the limit at which you make the arrangement of these boys?—The age of sixteen.

36. *Chairman.*] This experiment has been going on for two years?—Yes.

37. Do you take boys who have been convicted more than once?—Eight or nine times convicted sometimes; in fact, I judge entirely by their individual cases, and whether there is any hope of the boy doing any good himself. A great deal must be left to my discretion. I do it in the best way I can. I can only judge of it by the results.

38. Mr. *Fitzroy.*] Do you see all the boys in the different prisons, or only those selected for your inspection, by the chaplain?—The chaplain does not select; it is a sort of triumvirate, the governor, the chaplain, and myself, and I make a selection from a list of the whole of the boys. I ask the chaplain questions, the governor questions, and the boys questions.

39. Mr. *C. Legh.*] Has this course been pursued by any other inspector of prisons?—No, I consider it as but the commencement of an experiment.

40. That has only been made by yourself?—By myself.

41. Mr. *Adderley.*] Have you often found boys refuse to go?—Very frequently

Captain *W. J. Williams.*

11 May 1852.

quently indeed; and what is more singular, I have greater difficulty with boys who are in separate confinement than boys who are in association.

42. What is the cause of their refusal?—The only experience I have had is at the Surrey House of Correction at Wandsworth, where, from the boys not being provided with labour, there appears to be a degree of stolidity about them, which makes it impossible for me to do anything with them. I never remarked so great a difference between boys in seclusion and association.

43. Mr. *Milnes.*] Did they ever any of them give a special reason for refusing to be so benefited?—No. I think Mr. Adderley was present this morning at an extraordinary case of refusal at the Westminster Bridewell on the part of a little boy about ten or eleven years of age, who had been eleven times in that prison. He was not as high as this table. I had sent his brother previously to the Philanthropic Society, who is doing remarkably well; in fact, although completely a professional thief, he surprises me by the way he has already conformed to the rules. This little boy refuses to go. I tried every inducement to get the boy to go, but he will not, nor will he give me any reason why he will not.

44. Mr. *Fitzroy.*] Are you aware of the circumstances of that boy's history?—Yes.

45. He has a mother who sells fruit?—I am not quite sure.

46. Mr. *Milnes.*] Is the existence of the Philanthropic Society generally known among the young criminals of the country?—I should say among the young criminals of the metropolis it is. Sometimes an objection is made, as only going from one prison to another; a boy who may have absconded from there does infinite mischief by his absconding, because he gives the institution a bad character among the criminals whom he returns to.

47. It is generally regarded as a life so pleasant and indulgent as to make it an object of ambition to go there?—On the contrary, I have thoroughly examined into the institution myself, and I am quite satisfied that it is really an institution where there is hard labour and not an over quantity of food, and of the most practical nature in every respect.

48. Would you state whether you think the reputation of the Philanthropic Society among the juvenile criminals is such as to hold out any inducement to crime, with a prospect of being sent there?—That is a very difficult question for me to answer. I should say that at present, with the limited operations of the Philanthropic Society, it has no inducement whatever, and with the imperfect knowledge that the criminal population have of it, that no effect of that sort can possibly exist.

49. Mr. *Miles.*] Suppose the case of a boy sentenced in London to seven years' transportation?—I never touch him; he goes to Millbank, where the directors of the prison deal with him. I act on this principle: I consider that a boy who is transported is transported for a very heinous offence, and I do not interfere with him by a recommendation for a conditional pardon to the Secretary of State. I leave him to be dealt with at Millbank, where he may be sent to the Philanthropic Society, if the directors of that institution think him a proper object.

50. Yet it is to be understood, from your previous evidence, that you have recommended prisoners to the Philanthropic Society who have been seven or eight times convicted?—Many times.

51. Are not many children transported who have not been convicted or committed seven or eight times?—I am sorry to say I know such to be the fact; I had an instance before me this morning; and in the case of these children justice is perverted, although with a benevolent motive.

52. Supposing a boy between the ages of 7 and 14, sentenced, after the seventh or eighth conviction, to 10 months' imprisonment, that would be the kind of boy you would select?—If I thought there was a rational hope of his doing well in an institution of this kind.

53. Supposing he should experience in confinement one month of his sentence, what would he undergo when he goes to the Philanthropic Society; what state would he be in; and if he behaved well, what number of months would he have to serve previous to his liberation?—I never take any boy unless he has undergone some portion of his imprisonment as a punishment. I think the penalty of his offence should be undergone in a prison at first. Then on examination, if I find, as I said

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I said before, that his case is one that induces me to believe there are rational hopes of his amendment, then I send him to the Philanthropic Society; he goes to that institution, and there it entirely depends on himself as to the time in which he will, I may say, be sufficiently instructed so as to make him of value abroad as a settler. They are invariably sent abroad; that is one of the conditions. It cannot be a condition of the pardon, but it is one of the conditions I hold out to them. I never send any one there without I obtain the consent of their parents to their emigration, if they have them.

54. Then he would be in the Philanthropic Institution actually longer than the original sentence?—Yes; sometimes seven or eight months longer.

55. Is not that a reason, if the boys understand this, why a great number of them do not like to go to the Philanthropic Society?—I think it very possible.

56. Could not that be better arranged?—I think there are many things that I could suggest as remedies. Mr. Turner will inform you that there is a considerable uneasiness among the boys at the time their sentence expires. There is a restlessness; they wish to avail themselves of the expiration of their sentence; they think their time is out, but still they are kept alive by the hope of doing well abroad; and really the care that is taken in sending these young boys abroad reflects the highest credit on this society.

57. Marquis of *Blandford.*] What country are they sent to?—To New Brunswick, Australia, the United States, and wherever else there is a demand for them.

58. Mr. *Miles.*] Have you kept any account of the boys that have been sent from your recommendation, that have turned out well?—Mr. Turner will fully explain that; records are kept in the institution.

59. There are other boys sent to the Philanthropic Society besides those?—Yes, boys under sentence of transportation.

60. Have you any document yourself that will state the number you have recommended, the number that have gone, and the number that have turned out well?—Yes, I could procure it; it must be in recollection that this has been going on two years and a half, but as far as it goes it is exceedingly satisfactory. There is one instance of a boy from whom a letter was received on Saturday by the schoolmaster of the Bridewell at Westminster, in which he says he has saved 20*l.* for his father.

61. Mr. *Adderley.*] What care do you take personally about these boys going abroad?—None whatever. After hearing the results of what all these boys have done, if I am satisfied when I make inquiries of their parents, which I do as a test whether what they have told me is true, as far as I am able to learn, and by other means, which are through the schoolmaster of the Westminster Bridewell, and when I have determined on recommending them, I read over and have explained to them the 11th clause of the Act just referred to, and I request them to sign the following certificate: "Conditional pardon to young offenders. 1 & 2 Vict. c. 82, s. 11. Whereas Her Majesty has lately exercised Her Royal Prerogative of mercy in granting pardons to young offenders who have been sentenced to transportation or imprisonment, upon the condition of placing himself or herself under the care of some charitable institution for the reception and reformation of young offenders named in such pardon, and conforming to and abiding by the orders and rules thereof: and whereas the same has been found beneficial: and whereas it is expedient that some provision should be made for carrying the same more fully into effect; be it therefore enacted, that from and after the passing of this Act, in case any young offender who has been or shall be hereafter sentenced to transportation or imprisonment, has been or shall be pardoned by Her Majesty for such offence upon such condition as aforesaid, and has or shall accept such conditional pardon, and shall afterwards abscond from such institution, or wilfully neglect or refuse to abide by and conform to the rules thereof, it shall and may be lawful to and for any justice of the peace acting in and for the county, city, riding, or division wherein the said offender shall actually be at the time he shall so abscond or neglect or refuse as aforesaid, upon due proof thereof made before him upon the oath of one credible witness, by warrant under his hand and seal, to commit the party so offending for every such offence to any gaol or house of correction for the said county, city, riding, or division, with or without hard labour, for any period not exceeding three calendar months for the first offence, and not exceeding six calendar months for the second or any subsequent offence, in case the managers or directors of such charitable institution shall be willing to receive any such young

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offender after his or her being convicted of absconding, neglecting, or refusing as aforesaid; and in every case such imprisonment shall be in addition to the original sentence of such young offender; and after the expiration of the time of such additional punishment, if the managers or directors of any such charitable institution shall refuse to receive such offender, or if Her Majesty shall not be pleased to exercise Her Royal Prerogative in pardoning the breach of the condition on which the former pardon was granted, the said party shall forfeit all benefit of the said pardon, and shall be remitted to the original sentence, and shall undergo the residue thereof as if no such pardon had been granted.—I do hereby acknowledge that the clause in the above-recited Act of Parliament has been read over and explained to me, and that I of my own free will and accord do promise that I will conform to the rules of the Philanthropic Farm School, and will go abroad whenever I may be found sufficiently instructed, and suitable for employment by the governors of that institution, and that I receive my pardon upon such conditions." This the boys sign, and it is witnessed by one of the officers of the prison. It is completely voluntary with him; it is impressed on him, that the whole is a voluntary thing on his part.

62. Mr. *Milnes.*] All the boys you thus recommend are sent abroad, and none of them are employed or put to any business or occupation in this country?—I think none of those pardoned under such circumstances have been.

63. Mr. *Tufnell.*] When he is sent to Red Hill do you lose all legal power for the future; suppose he absconds, have you no power of putting him in prison?—We have a power of bringing him before a magistrate, and sentencing him to three months for the first offence, and six months for the second. If taken back again it is under the 11th clause, which I have read, and which is read over to every boy before he accepts the pardon.

64. Mr. *Fitzroy.*] In that case the three months, or six months, is in the gaol?—Yes, with hard labour; and it has been carried into effect in several instances.

65. In that case would those boys have any chance of being sent again?—Yes, and in almost all cases have done well after a relapse; after undergoing imprisonment for absconding from the institution they have been taken back again, and in several instances have done well.

66. Is that after another examination by yourself?—No, it depends then whether the governors will consent to take them back again.

67. Mr. *Miles.*] They do not object to take relapsed criminals back, although there may be good boys who will be willing to accord to the rules?—Every case is judged by itself; we are only dealing with insulated cases. It is not the carrying out of any principle, but it is one of those suggestions, among many others, which it is as well to test.

68. But this experiment, which has been going on for two years and a half, has been tried in the Westminster House of Correction, and the committals in 1850 of juvenile offenders to the House of Correction amount to 870, while the number for all England is 7,070; so that this benefit has been given to these Westminster House of Correction boys?—Yes; suppose 20 boys have been sent in that year, and if they were scattered all over England I do not know how you could very well expect there could but be complaints of the want of an extension of the benefit.

69. Mr. *Milnes.*] Was not the whole arrangement considered by the Government as experimental?—Yes.

70. Mr. *S. Herbert.*] And on a very limited scale?—Yes.

71. Mr. *Miles.*] Would it not do to try country boys as well as town boys?—The scourge of juvenile delinquency affects very little the agricultural districts; it is chiefly confined to towns of large population.

72. Mr. *Adderley.*] Do you not say that your experience of Liverpool would lead you to suggest a similar plan for that part of the country?—Yes.

73. Mr. *Fitzroy.*] The experiment was intended to be on a limited scale, therefore you confined yourself to this one prison?—Yes, but I have extended it to Lewes lately. I have taken boys from the Surrey House of Correction.

74. Do you not think it will answer in other places?—No doubt of it; it was limited by the pecuniary means applied.

75. Mr. *Adderley.*] Does your experience lead you to say that a similar system would suit all parts of the country?—I have not the least doubt of it, with this proviso,

proviso, that the boys are sent abroad afterwards; without that it would be inoperative.

76. *Chairman.*] In how many cases has it been applied?—I have recommended 48 cases; it will be extended, and is extending, as soon as the buildings of the Philanthropic, which require to be increased, can be erected; they are now in the course of erecting a larger building, which will enable them to receive 100 boys. Sir George Grey and Mr. Walpole, seeing the limited extent of the experiment already made, were induced to extend it to 100 additional boys who are to be sent there.

77. Sir *W. Jolliffe.*] And that is only waiting the increase of the building?—Yes.

78. Mr. *Adderley.*] Why should they all be sent abroad?—There is no hope for a boy of this sort; after being at the Philanthropic, with 12 months' training, I am of opinion, if you cast him out among his old connexions, he must relapse into crime.

79. Supposing there were two sets of institutions, one in Liverpool and one in London, would it meet with your approbation that they should mutually assist each other, the boys turned out from one, finding a new residence in another part of England?—I think that would be quite impracticable.

80. Why?—The distance would make no difference; the boys would find boys of their own character immediately, and there would be the same temptations open to them elsewhere, such as the penny theatres and fairs; there is nothing left for these boys but putting them into new and exciting circumstances in another country.

81. There are penny theatres at New York and Sydney?—So there are; but I do not know that any of these boys have been sent to New York.

82. But they have been sent to Sydney?—At Sydney the demands for labour are great, as well as the inducements for boys to seek it; in fact, they obtain industrial employment, which they cannot obtain here.

83. Mr. *Fitzroy.*] Is not the convict prejudice an item in the consideration how far the boys would be likely to succeed in this country?—No; that may have some effect, but it depends on the demand for labour. I have known at times, when the manufacturing districts have been pressed for employment, and when wages have been high, people waiting at the doors of the Manchester House of Correction to employ the boys when they came out, but who when wages were low would not take boys under any consideration who had been in prison.

84. Mr. *Adderley.*] Are the boys sent out from Red Hill looked down upon as convicts?—No, certainly not; if so, they would find great difficulty in obtaining employment. I look upon it as one of the most important advantages of the Philanthropic Society that these boys are sent abroad without any convict taint on them, after having undergone a period of probationary training there; there is no taint of dishonesty remaining on them; they undergo a very strong ordeal, and their having done well abroad tests its effect.

85. Sir *W. Jolliffe.*] The training at the Philanthropic Society is peculiarly of an agricultural nature, therefore they are qualified to obtain agricultural employment in the colonies?—Most particularly so; it has this additional inducement to them; it is a training that has excitement with it, and opens new views to them, and they seem to delight in it as they would in any other excitement.

86. Mr. *Adderley.*] Why do you lay down the rule that a boy must partly undergo a penal sentence before admission to a Philanthropic Institution?—Except under peculiar circumstances, because that enters into the question of discretion. It is supposed that many of these boys act without a sound sense of discretion. I believe they have a certain knowledge, and a certain discernment; in fact, I scarcely ever knew a case in which a boy did not know he was doing wrong when he was committing a crime. I do not believe he is sensible of any moral injury he has committed, but he perfectly well knows that the police would hunt him out, and take him up, and that he will be punished for what he has done; therefore, for the sake of society at large, a boy who is convicted should undergo a portion of his penal sentence before he is at all sent to an institution of this description.

87. Mr. *Tufnell.*] You object to send him first to an institution of this description?—I should; but still there are exceptional cases, where it might be proper; every case should be judged by itself.

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88. Would not the chance of reformation be greater if he was sent at once to an institution of this description, at least for the first offence?—That may or may not be the case; in many cases these boys are utterly tired out of the life they have led, and they have a great fear of transportation; and these boys who are tired of it conform the more readily to the rules of the society, on the same principle that in a prison we find a boy, who is convicted the first time, cares less about a strict adherence to the rules than an older thief, who knows he will get nothing by it.

89. Mr. *Miles.*] You stated that these children are trained in the Philanthropic Society in agricultural pursuits; consequently they are of much greater benefit to the colonies from being so trained; if you spread these philanthropic institutions over the agricultural parts of the country, would not boys from agricultural districts be better than those boys picked up in a town, and only a short time trained in agricultural pursuits?—That is a question which I am hardly able to answer. I am looking at this experiment as one which is to be tried as an experiment. The means of reducing that scourge, which principally affects large populations, does not affect agricultural districts in the same degree. If there were no closely-packed populations, gentlemen would be scarcely sitting together here to suggest any means of remedying juvenile delinquency. The few juvenile offenders we have from the country districts show how much agricultural pursuits have a tendency to keep down crime; and by analogy, the giving those boys an agricultural education, I think shows that we may more easily reform them by such means.

90. *Chairman.*] You have been speaking hitherto of the Parkhurst Act, of the 1 & 2 Vict., and the mode in which it has been carried out; is there any other statute relative to the treatment of juvenile offenders?—There is another statute, the 3 & 4 Vict. c. 90, intituled, "An Act for the Care and Education of Infants who may be convicted of Felony;" this Act empowered the Court of Chancery to assign the care of any infant convicted of felony to any person other than the testamentary or natural guardian. It has, however, been entirely inoperative.

91. It does this in the case of any young offender convicted of felony: that any young offender may, on a petition to the Court of Chancery, be placed under the guardianship of any person or society approved of by that Court?—It does so, but it was clogged with a clause which rendered it almost inoperative, that the infant should not during the care and custody be sent beyond the seas, or out of the jurisdiction of the Court of Chancery.

92. Mr. *Milnes.*] Was that clause inserted in consequence of the difficulty that arose with respect to the emigration of children to the Cape?—Yes.

93. *Chairman.*] Then that Act has produced very little effect?—None whatever.

94. Are there any other Acts, that you are aware of, relating to the subject of the treatment of juvenile offenders?—None, that I am aware of.

95. That being the state of the law at present, we wish to hear from you any suggestion you may have to offer for the improvement of the law?—Some time ago I was directed by Sir George Grey to report on a communication made by the Privy Council on Education.

96. Was that relative to a proposal for model criminal and pauper schools?—Yes.

97. That proposal was referred to you, and on that you reported?—Yes.

98. What were the recommendations contained in that report?—I recommended that the Farm School at Red Hill should be made the basis of the experiment proposed by the Minute of the Committee of Council for Education, either by means of a transfer or union with the Government, the Government contracting to keep up the number of 300 boys, paying at a fixed rate per head, together with the actual disbursements incurred on account of their final disposal. One of the great difficulties that we encounter now in sending the boys to the Philanthropic is, the shortness of the terms of imprisonment, which prevents our sending them there, because we have no sufficient punishment to fall back on should they abscond; therefore I suggested to the Government that the old law requiring sureties from boys for their good behaviour should be revived.

99. Mr. *Milnes.*] When you say "the old law" on that subject, was that law ever put in practice with regard to juvenile criminals?—With regard to every person; juvenile delinquency has been only of 70 or 80 years' growth. The law has not been applied to them in that way, but it may be applied to them.

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100. *Chairman.*] There is by law a power to bind over a man for the good behaviour of another?—Yes; I propose that it shall be extended to the parents of juvenile delinquents, or their friends, in order that we may have a legal hold over them: for instance, a boy who had committed an offence, if he had friends, should be called upon to give sureties for his good behaviour; and the sums required from the sureties should be analogous to their condition in life. They should not be the considerable sums now required for sureties, but a person ranking as a labourer should be amerced, if he had become surety for his boy and he went wrong, in a sum that he might be expected to pay. Then he would have some inducement to look after him.

101. Mr. *Adderley.*] What sort of sum?—Twenty shillings.

102. Is that the minimum?—No; I would leave that to the discretion of the magistrate.

103. What is the lowest sum?—That would depend on the man's wages.

104. Would you go down as low as 5 *s.*?—As low as the circumstances of the case admitted.

105. *Chairman.*] Suited to the means of the person?—Yes; I am quite satisfied that a large number of those persons would never be found to give sureties for their children's good behaviour; and, therefore, I recommended that in default of finding sureties, after these boys had undergone some portion of their imprisonment for the offence they had committed, they should then be sent to a reformatory school for the remainder of the term, and they should have the option offered them of going abroad; in fact, that the treatment should be analogous to the treatment at the Philanthropic. It is seldom found, when there, but that any boy, after having been there for some period, would gladly seize the opportunity offered him of going abroad.

106. Mr. *S. Herbert.*] Are not the juvenile criminals generally a class who have no friends, and often have no parents from whom anything could be recovered?—Certainly, a great number of them are. I do not object to that, because it gives us an easy means of dealing with them, when unable to find sureties.

107. Mr. *Milnes.*] There are very frequently cases of continued juvenile delinquency, where the parents could be got at without the slightest difficulty?—There are some, but in the majority of instances it is difficult to obtain anything from the parents. In the Philanthropic Society, of those who voluntarily come forward and pay for their children, it is found in many instances, after some time, the payments are not continued, and the children withdrawn.

108. Is not that because there is no power of enforcing those payments?—Looking at the experience I have of the parents of these juvenile delinquents, I consider it almost hopeless to look for any means of enforcing payment against them, because it must come to this: if you are prepared to enforce payment against those individuals, you must send them to prison.

109. Why should there be more difficulty in those cases than in cases of bastardy, or the abandonment of children, where such a payment is enforced?—There are great difficulties in the enforcement of the arrears for bastardy; I find them everywhere almost. Then comes another consideration: in a great number of these instances (I am, perhaps, singular in the opinion) the parents are not always neglectful of their children, but they are placed in a certain condition of life in which it is impossible to have that control over them which others of a higher class have. They have used every inducement, they have gone even to monstrous cruelties at times, to prevent their children getting out into the streets. A labourer who is out from six in the morning till six in the evening at his work, and the wife who has young children to attend to, cannot have that control over their children which other parents have. I have known them chain them to bedsteads, and practise the greatest cruelties in order to keep these boys in.

110. *Chairman.*] In the case put to you just now, suppose the boy is an orphan, or that you are perfectly satisfied that his father has no means, or that he is out of work and incapable of meeting any demand on him, what would you do in such a case as that; you could bind over nobody then?—Then, in default of finding sureties, he would become almost the property of the State. Under those circumstances he would then be sent to a reformatory institution for two years, and no doubt that boy would gladly avail himself of the opportunity of going abroad under the circumstances then held out to him.

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111. Suppose the case where the father has become bound, but where the recognizance becomes forfeited, where the boy has been guilty of some misconduct, there again you have a hold on the boy?—Yes, and it would exercise a preventive action upon the father, who knows he will be amerced in a sum he is able to pay; therefore he will try and use every means, should he have been neglectful heretofore, of preventing that boy relapsing into crime.

112. If he succeeds, well and good?—If not, we have a hold on the boy.

113. Mr. *S. Herbert.*] But you think the system of exacting sureties should be an exception to the general rule?—I thought it better to have an Act of Parliament to establish the practice, and I prepared the rough draft of one.

114. *Chairman.*] Is it desirable to have some new legislation for that purpose?—Yes.

115. Marquis of *Blandford.*] Do you apportion the amount of the surety to the time it is to be found for?—On the parent not finding sureties I would send the boy to a reformatory institution.

116. Mr. *Adderley.*] Your principal object is to have a compulsory power of sending the boys to a reformatory asylum?—Yes.

117. Mr. *Palmer.*] And you propose to call on the parents of agricultural boys to find securities, and you think you will in consequence of that get hold of the boy?—They would be included.

118. Is there much use in calling on a person to give security for the good conduct of his boy, who, being an agricultural labourer himself, is employed the whole day in the field, and has not the boy under his inspection?—There is not so much chance of a boy of that description falling into crime. It is not imperative on the magistrate; he is to call on the boy to find sureties if he thinks the nature of the case requires it. I think the reviving of the application of sureties to these juvenile delinquency cases would be beneficial.

119. *Chairman.*] You would give a discretionary power to the magistrate?—Yes, as at present, but leave it to the discretion of the magistrate whether he should call on the parents or relatives of the boy to find sureties or not.

120. Mr. *Palmer.*] Would anybody be likely to be bound for a boy under these circumstances, except his immediate parents?—Perhaps there are no facts more eccentric than the affections of human beings for each other. In Liverpool the extraordinary kindness of the Irish is, perhaps, more shown in that town than anywhere else, from the numbers that congregate together, and the number of destitute orphans there. There are a number of boys who have lost their parents by fever, and otherwise, who are entirely protected by other women. The kindness of the Irish towards children is most remarkable; they take these children into their houses, and act the parts of mothers by them, although there has been no tie excepting that of a mother or father dying in the same house. They would, perhaps, come forward occasionally as sureties; I do not say they would come forward in large numbers. What we want is to get hold of these boys. We have no legal hold of them at all, and if there was anything of a more compulsory nature than that of finding sureties, it would be subject to great objection, and not very popular. I do not think there would be anything unpopular in a measure of this description.

121. Would you give the magistrate the power of compelling the father to be bound, or taking recognizances from the father, if the father were willing to enter into them?—I should administer the law as it is at present; it should be a voluntary recognizance.

122. Mr. *Fitzroy.*] Would you apply it to cases of first conviction?—To any case that the magistrate thought right.

123. Mr. *Tufnell.*] For how long a time?—Not more than three years; but I have not decided on that point.

124. Mr. *Fitzroy.*] Do you think it would be desirable to extend it to all cases, as much in cases of committal to prison as where the convictions had been repeated?—Yes; these boys must be judged on their own cases; every case almost is different.

125. Mr. *Adderley.*] Boys of what age are you thinking of?—Of the age of 16; so that they should be afforded sufficient time of youth to be educated, instructed, and trained for employment in another country.

126. Mr.

126. Mr. *Tufnell.*] If a boy of 15, you would only have his parents bound for one year?—Or for a boy of 16 or 17, perhaps.

127. Mr. *Fitzroy.*] In cases where the parents had become sureties themselves, would it not be desirable that they should become chargeable for the maintenance of their children while in prison?—If they were able to do it, but in nine cases out of ten you will not find them able to do it. Many of these boys have gone wrong not through the neglect of their parents, who have done a great deal to keep them straight. It would be hard on the parents, after they have changed their domiciles, and after they have really inflicted cruelties on the children, and incurred very considerable expense, to impose the greater burthen of supporting them in an expensive institution of this sort, for expensive it is.

128. Mr. *Milnes.*] Might not that be made discretionary with the magistrate?—That would be giving a large power to the magistrate.

129. Mr. *Fitzroy.*] Persons who would be in circumstances to become sureties for their children would be in circumstances to enable them to provide for their maintenance?—Yes, and the parents who are to provide sureties would try to keep their boys at home, and promote their welfare, and prevent them lapsing into crime again. It would be in that way a preventive measure.

130. And also if they had to provide for their maintenance in prison?—If the boy went abroad he would not require it.

131. Mr. *Tufnell.*] Are not the poor in great towns a very migratory population?—Yes.

132. Would it not throw difficulties in the way of obtaining any sureties, supposing a Londoner goes to Newcastle or Liverpool?—No doubt it would.

133. Mr. *C. Legh.*] Are there any circumstances that should relieve a parent from this liability as to sureties; suppose the parent could show the child had been sent regularly to school, is that a consideration that ought to be attended to?—The cases are certainly different; there are numerous cases of a child lapsing into crime from the neglect of the parents.

134. Should there be any difference with respect to a parent who appeared to neglect his child altogether, and a parent who had taken the means of sending his child to school, and, notwithstanding, the child has gone wrong?—It would lead to the very difficult inquiry of proving the extent of the parents' interference one way or other.

135. Should the evidence of the child having regularly been sent to school operate at all?—Children go to school regularly, but then they abscond from the schools without any knowledge of the parents.

136. If he could show that he paid his penny per week for his child, would not that be an argument in favour of his having performed his duties?—That might be so, certainly.

137. Mr. *Adderley.*] Would you make this distinction between the school at Red Hill and the schools you propose, that whereas the children of Red Hill School must finally be sent abroad, in the schools you now suggest would you make that ultimate treatment optional?—From my intimate knowledge of these boys I am convinced the only radical cure is sending them abroad. I do not know what is to become of them after they leave these schools if they are not sent abroad. That is the key-stone of the question. If penal schools are to be established throughout this country, what are you to do with the boys when they come out? They must return to the same haunts and the same temptations.

138. Your report to Sir George Grey suggested that this should be optional?—No, not exactly.

139. The words you made use of were, that in default of these sureties the child should be sent to a reformatory school and then sent abroad?—Yes; my idea was this, that these boys should be treated exactly in the same way when in a well-regulated prison as they are at present; but if they misconduct themselves in the prison they should not be sent to a school. If a boy was incorrigible in prison he should not be sent to a penal school.

140. On the question of going abroad at the conclusion of the schooling, is your present proposition that it should be made optional?—I think they should go abroad.

141. Compulsorily, or as a matter of choice?—As a matter of choice; you could not impose it on them as a condition of their pardon.

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142. Mr. *C. Legh.*] If it was compulsory would it not operate with the parents, and would they not consider it transportation?—Very much so; although I never allow a boy to go abroad without the consent of his parents, for they interfere frequently to prevent it. Directly the parents refuse, I stop at once. There is a case now in the House of Correction at Westminster, of a boy who is desirous of availing himself of this offer; he is a boy of excellent character, but the father refuses to consent that he shall go abroad, and then of course my intervention ceases.

143. Mr. *Adderley.*] With the boys themselves is it matter of attraction or of terror?—A very great attraction; it is the exciting motive which induces them to remain there.

144. And with the parents the reverse?—Yes; the boys are made acquainted with the circumstances of the colonies, and the field that is open to them, and it generally becomes the inducing motive; they hasten to get over their instruction with a view of terminating their education.

145. Mr. *Tufnell.*] However young they are committed, and however slight the offence, do you think the reformation at these institutions is not sufficient to ensure habits of self-restraint, and make them good citizens in this country hereafter?—I do not think it would be, when I look to the causes of crime; I do not see how these boys are to withstand their old temptations if they are sent back into the same situations, and have a difficulty in obtaining labour.

146. Take the case of very slight offences committed by a boy eight or nine years of age?—There are undoubtedly cases, as has been proved by the Philanthropic Society itself, where boys have been apprenticed in this country, and where they have done well afterwards; but looking to the general mass of those I have been in the habit of sending there, there is scarcely one of them I would recommend, unless they went abroad. There may be cases selected, even in the prisons, where they might be safely apprenticed in this country; there is no doubt of that.

147. Mr. *Milnes.*] Do you think that the greater part of these boys are so ingrained in crime, that after the instruction and advantage of a penal school they would not withstand temptation and become good citizens?—I do not think they would when I look at the easy means by which boys are led away; when I look to the low temptations, and the almost instinctive love of certain pursuits which these boys have, I think there are scarcely any but would relapse, did they return to their old haunts and associates.

148. Do you trace that to any peculiarity in our national character, which would render it impossible to hope for any such success as that which has attended the establishments in France and other countries?—I trace that to the condition of the humbler classes of society here, where amelioration must first take place. There are ameliorations in progress now, which will in course of time sensibly diminish the amount of juvenile delinquency. I think all the sanitary measures have a great tendency that way. They infuse a self-respect among the humbler classes which will be very beneficial. I think the Act which has lately passed for the regulation of lodging-houses is one that will materially affect the number of such offenders in course of time, as I have no doubt it will be enforced with strictness. These lodging-houses have been more conducive to swell the amount of juvenile delinquency than anything I know of; and the histories we have of them from these boys are really frightful.

149. Marquis of *Blandford.*] Do you propose, in these reformatory institutions, that the parents should bear the expense of maintaining their children?—As a principle, I think it admissible; but I doubt whether it could possibly be carried out.

150. Do you propose finding a surety as a substitute for that?—No, I propose that the enactment should term it a portion of the county rate, to be applied to defray the expenses of these boys in such an institution, and the magistrate should have the power of applying it in that way, or it should come, as at present, by vote from Parliament.

151. Mr. *Milnes.*] If it was thought advisable that this rate should be laid on the counties, might it turn out a very great economy, if the counties were saved from the continued prosecutions which these boys cost them?—I think even the amount paid to the Philanthropic Society, although it is startling, is still a great saving in that point of view. The enormous amount that these boys cost for prosecutions would no doubt be in a great measure spared by it.

152. Sir *W. Jolliffe.*] When you say counties, you mean the country?—Yes, the country at large. There is nothing left to these boys; they are slaves to the condition they are in; they can do nothing else; we see every day the same boys over and over again, until they are transported. The very act of transportation always gives a taint to a boy hereafter. If you can interfere after the boy has become tired of his criminal life, which many of them are, you do him a great good. If you can send him abroad as a free settler, or if you only reform him civilly, you make him a good subject, and you do him a great good by saving him from the taint of transportation, which always attaches to him if sent out of the country as a criminal.

153. Mr. *Adderley.*] If the sanitary improvements break up the haunts and associations of these boys, sending them abroad will no longer be necessary?—I do not think that; there are other incentives to crime in boys; I hardly know how they can be diminished, or how they are entirely to be got rid of, unless these boys are provided with other and more suitable amusements. The most frequent source of crime is an instinctive love of theatrical representations; there is hardly one of these boys but begins in that way. They begin by robbing the Monday money with which they have been entrusted when going to school. In numerous cases that is the first crime committed, of running away with the penny, or twopence, or threepence, or fourpence, to go to the penny theatre with.

154. The society these boys live in is completely separated from all other society, and most of these boys are found to keep girls of their own age?—Yes, some; there are two or three other causes that I may mention as incentives to crime. There is one that requires the interposition of the Legislature, which is a most powerful incentive to crime in boys; I allude to fairs. There are a number of fairs taking place in the neighbourhood of the metropolis almost constantly during the summer months. There is an Act of Parliament by which magistrates have power to suppress all legal fairs, that is, chartered fairs, but have no power of suppressing those large fairs which are now daily witnessed in the suburbs of the metropolis, and to which these boys flock in hordes. There is one now holding at Hammersmith, and this point already has excited the attention of the magistrates.

155. Is not the society in which these boys live so thoroughly organized, that one boy does not interfere even with the department of thieving that belongs to another?—In examining these boys, I have found that if it is not an organization, it is something similar to it. There is a certain class of boys who do nothing but steal provisions, or who give themselves up to stealing provisions from shop doors, and sell the provisions they get to lodging-house keepers. Then there is another class of boys who pick men's pockets, but never touch a woman's pocket; another class of boys who pick women's pockets, and give themselves up entirely to that branch of business. Then there are others who addict themselves entirely to stealing tills; drawing the damper, as it is called in the manufacturing districts.

156. Some of these boys rob each other?—It is a common practice as regards these boys, when children are taking money to pay their schooling at the beginning of the week, to waylay them, and persuade them to go to the penny theatres, and spend the money with which they should have paid the schooling.

157. Mr. *Milnes.*] Is there any rank of society in which you could trust a young child with money to pay for its schooling, when it is passing a pastry-cook's shop?—I do not know; I tell you things as they are.

158. Mr. *Adderley.*] If this system was broken up by sanitary measures, the plan you now suggest in this report would have to be modified by such improvements?—There would be a diminution in the amount of crime; still you would always have a certain amount of crime.

159. The question had reference to the necessity of sending them abroad?—When I see society altered in that way I shall be better able to judge. My impression is, that the only safe way is sending a large proportion of these boys abroad.

160. Mr. *C. Legh.*] Do you not think that if ameliorations of that class of society increase to which you have alluded, that the necessity of sending children

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abroad will decrease?—As society approaches perfection, there will be a diminution of crime. As the boys are at present, I say I do not believe there is any remedy so efficacious as sending them abroad. Of course, if the numbers do decrease, if they do not reach this state of depravity we have found them in, and if the temptations are diminished, there will not be the same necessity of sending them abroad, and also provided the circumstances of the country allow of their easy employment here. To-day I saw the parent of one of the boys who is going abroad; he came to the Westminster Bridewell; he is totally unable to do anything for his son; he is a shoemaker, and in good employ, but he is making shoes now for eightpence a pair. So in the great majority of cases these people are utterly unable to provide for their children. The boys who pick pockets are a higher class of thieves, and certainly more depraved than any others, having greater means at their command. Sometimes they come into prison very early in life, in a diseased state with the foul disease; and in many cases, although I will not say in the larger proportion, they are living with women of the lowest order.

161. Mr. *Palmer.*] At what age do these boys come in in this condition?—Fourteen.

162. Mr. *Adderley.*] What is the earliest age at which any have come in with the venereal disease?—There are some cases as early as 12 or 13.

163. Can you tell us of your own knowledge whether sanitary improvements have produced great alterations in this state of things?—No; I cannot say they have; unless a sanitary improvement in general, it could not have that effect The sanitary improvement of one portion of this metropolis only drives the criminal population to another. For example, as I am informed, in Whitechapel, which is the great focus of all juvenile crime, rents have increased to a very considerable extent in consequence of other buildings being pulled down. The rent is almost double now in those low places to what it was formerly, from better provision not being made for this class when their haunts were destroyed.

164. *Chairman.*] Proceed with your suggestions?—With regard to recognizances, I may say that the forfeiture of these recognizances should always be before a magistrate. They have now to be returned into the Court of Exchequer, and it is a very long process. There should be an easy means of enforcing the recognizance.

165. Would you suggest that the magistrate should have the power of estreating the recognizances, which you are now obliged to have recourse to the Court of Exchequer for?—Yes; I have thought that were these boys dealt with in this manner, it would have the effect of diminishing the number of cases of boys sentenced to transportation. I do not think myself any boy ought to be sentenced to transportation, unless he is convicted of a very heinous offence. Therefore I think no boy sentenced to transportation should be sent to a charitable institution of this sort, but should be sent to the Government establishment at Parkhurst. If there were institutions to which boys could be sent, the number of cases in which they are transported would diminish two-thirds. I believe two-thirds of the boys that are transported now, are transported with the benevolent motive that they will be sent to Parkhurst, there be educated, and not punished for the crime of which they have been convicted. An instance occurred the other day at the assizes in Buckinghamshire. There a man and a boy had committed a robbery; the boy was quite a child. The man was sentenced to one year's imprisonment, and the child sentenced to seven years' transportation. I only cite that as an instance, but I know it to be the case every day. There was a boy who came before me in the Westminster Bridewell this morning, for stealing four steel rings, and he had been sentenced to seven years' transportation, although never in prison before; he is a child of 10 or 11 years of age.

166. With a view of getting him into Parkhurst?—Yes.

167. Mr. *Palmer.*] Where was that from?—From the Middlesex or Westminster Sessions.

168. *Chairman.*] Have you repeatedly heard judges say they are obliged to pass sentence of transportation, in order that the boy may have the benefit of being sent to Parkhurst?—Frequently; but the taint of transportation remains against him for life, and he may be a number of years at Parkhurst and then sent abroad, with

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with a ticket of leave; still it is injurious to his temporal interest, however reformed he may be, and who originally ought not in common justice have been sentenced to transportation.

169. You would have an alteration of the law in that respect?—I think, were a proper institution provided, that then there would not be transportation under many circumstances; the chairman of quarter sessions would not transport a boy for a light crime if there were these institutions. One cannot help feeling that it is a perversion of justice.

170. Have you ever seen in courts of justice a sense of horror among the audience excited on hearing a sentence of that kind, without an opportunity of explanation, pronounced on a young child?—Frequently; whatever effect the transportation may have on the individual, it has a great effect on the population of this country. I drew up the draft of an Act of Parliament to meet the suggestions made in my report.

171. Will you put that in?—Yes. Being doubtful as to the propriety of making the parents responsible, and knowing there was a general feeling on that subject that they should be, I have added clauses making the parents responsible; therefore the Bill is complete in either way with respect to the suggestions made in the report upon model schools. It is as follows:—

AN ACT for preventing the Commission of Crime by Juvenile Offenders, and for providing for their Reformatory and Industrial Education.

WHEREAS the practice of taking sureties for good behaviour hath fallen into disuse, except in cases where the same sureties are also taken for apprehended breaches of the peace; and whereas it is expedient that such practice should be revived and extended, and applied in the cases hereinafter mentioned, for the purpose of restraining juvenile offenders from the further commission of crime; and it is also expedient that provision should be made for the reformatory and industrial education of such juvenile offenders as shall, when required in manner hereinafter mentioned so to do, be unable to find such sureties for their good behaviour, and shall be committed in default thereof; Be it enacted by, &c. &c.

That whenever after the passing of this Act any person under the age of 18 years shall be convicted upon any indictment of any felony or misdemeanour, or under any Act passed in the 10th and 11th years of Her present Majesty, intituled "An Act for the more speedy Trial and Punishment of Juvenile Offenders;" or shall be summarily convicted before one or more justices of the peace of any offence against an Act passed in the 5th year of the reign of His late Majesty King George the Fourth, intituled "An Act for the Punishment of idle and disorderly Persons, and Rogues and Vagabonds, in that Part of Great Britain called England;" or of any offence against an Act passed in the 7th and 8th years of His said late Majesty, intituled "An Act for consolidating and amending the Laws in England relative to Larceny, and other Offences connected therewith;" or shall be convicted, under the "Act for regulating the Police Courts of the Metropolis, of the offence of having in his possession or conveying in any manner anything which may be reasonably suspected of being stolen or unlawfully obtained, not giving an account to the satisfaction of the magistrate how such offender came by the same;" then and in every such case it shall be lawful for the court before or by which such offender shall be so convicted, if it shall seem fit to such court to require him, in addition to the sentence then and there passed as a punishment for such offences respectively, to call upon and require such offender to find two sufficient sureties in the sum of *l.* each for his good behaviour for any term not exceeding years; and if such sureties, being so required, shall not be found accordingly, then such offender shall, in default of finding the same, and until the same shall be found, be committed by the court requiring the same to some gaol or house of correction, and such commitment, in default of finding such sureties, shall be comprised in and be supplementary to the commitment consequent upon the conviction in respect whereof sureties shall be required.

2. And be it enacted, that it shall be lawful for any one of Her Majesty's principal Secretaries of State to direct that any and every juvenile offender so remaining committed in default of finding sureties for his good behaviour shall be transferred and removed, upon the expiration of the sentence passed for the offence of which he shall stand convicted under the statute relating thereto, from such gaol or house of correction to any institution or asylum for industrial education and reformation that such Secretary of State shall select, there to remain until such sureties shall be found, or until the expiration of the term for which they shall in the case of such offender be required.

3. And whereas it is expedient that some provision should be made for the punishment of such juvenile offenders who, when in default of finding sureties for their good behaviour, have been removed from any gaol or house of correction by order of one of Her Majesty's

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principal Secretaries of State, to any institution for industrial education or reformation, who shall abscond therefrom, or wilfully neglect or refuse to abide by and conform to the rules thereof: Be it enacted, that it shall and may be lawful to and for any justice of the peace acting in and for the county, city, riding, or division wherein the said offender shall actually be at the time he shall so abscond, or neglect or refuse as aforesaid, upon the proof thereof made before him upon the oath of one credible witness, by warrant under his hand and seal to commit the party so offending for every such offence to any gaol or house of correction for the said county, city, riding, or division, with or without hard labour, for any period not exceeding three calendar months for the first offence, and not exceeding six calendar months for the second or any subsequent offence; such imprisonment to be additional to the original period or term for which such juvenile offender was ordered to find sureties for his good behaviour: And be it enacted, that every recognizance entered into by such sureties for the good behaviour of any such juvenile offender shall be forfeited by his conviction within the period to which such recognizance shall extend, upon conviction of any offence for which two sureties might by virtue of the provisions of this Act be required, and the sums for which the recognizances so forfeited shall have been taken shall be levied and recovered in the same manner as the sums secured by recognizances taken from the prosecutor and witnesses on prosecutions for felony or misdemeanour are usually levied and recovered.

Clauses to be added to the Bill if considered necessary, rendering the parents of such juvenile offenders liable for the charges of their maintenance and education when removed to asylums, &c., in default of finding sureties for their good behaviour, and in the cases of their inability, fixing the same on the county or borough rates.

And be it enacted, that the support and maintenance of every such juvenile offender while remaining in such institution or asylum shall be defrayed wholly or partly by his father, if alive, and of sufficient ability to bear the same wholly or partly, as the case may be, or by his mother, if a widow and of like ability; or if such juvenile offender shall have neither father nor mother able wholly or partly to maintain him, then the whole of such support and maintenance, or so much as shall be required towards the same, in addition to what shall be contributed by his father or mother, shall be borne by the Union to which he shall belong; or if he shall have neither father nor mother wholly or partly able to maintain him as aforesaid, and his parochial settlement shall not be known or ascertainable, then such support and maintenance shall be defrayed out of the rate for the county in which the offence of which he stands convicted shall have been committed.

And be it enacted, that for the better compelling the father or mother, as the case may be, to support and maintain wholly or partly every such juvenile offender while in such institution or asylum, the provisions contained in the Act passed in the 43d year of the reign of Queen Elizabeth, intituled "An Act for the Relief of the Poor," for compelling the father and mother of every poor person, being of sufficient ability, at their own charges to relieve and maintain such poor person, and also the provisions in the like behalf contained in an Act passed in the 59th year of the reign of His late Majesty King George the Third, intituled "An Act to amend the Laws for the Relief of the Poor," shall be respectively held and deemed, and the same respectively are hereby directed to be applicable to the compelling the father and mother respectively of every such juvenile offender to maintain or support him either wholly or partly while remaining in such institution or asylum under such circumstances, in default of finding sureties for his good behaviour.

172. Mr. *Milnes.*] Have you turned your attention to the question of the advisability of establishing a legal age, under which children should not be considered responsible in the same way as adults?—Circumstances have happened lately which induced me to turn my attention to it. About three weeks ago I went to the House of Correction at Wandsworth, and there I saw two boys of eight years of age sent under summary conviction. I was surprised to see them there, and I am quite satisfied they ought not to be there, although they were very properly dealt with. They were not placed in separate confinement, but were placed with the other prisoners. I think children of that age ought not to be sent to prison under any circumstances whatever. I do not know of a similar instance, although there have been some very close to it. Certainly, I think no child ought to be sent to prison under ten years of age.

173. Mr. *Palmer.*] What was the offence?—It was a trifling summary conviction; they were sent for 14 days or a month.

174. Mr. *Milnes.*] Do you think from your experience any injury would follow from declaring these summary convictions should not apply to children under nine or ten years of age?—I think it would be beneficial; the only difficulty as to that is whether the more astute and clever boys would not use the others as instruments: they do so now to a very great extent; it is the older lads who corrupt the younger. The only doubt is whether they would not make greater

greater endeavours than they do at present to corrupt them. I do not know any fact that can strike any person more sadly than seeing a child of that tender age in a prison.

175. *Chairman.*] Under seven there is no power of punishing?—No; it must be considered also that these boys are singularly acute; they have a degree of precociousness about them which is quite surprising, therefore they are older when young than any other class.

176. Mr. *Milnes.*] Are you aware that by the Code Napolèon no child is considered responsible for his acts in the same way as an adult person till the age of 16?—Yes.

177. *Chairman.*] Is he not criminally responsible till the age of 16?—No; they describe him as acting without discernment.

178. Mr. *Tufnell.*] You stated that you despair of boys who have been once imprisoned, or in a reformatory institution, turning out well in this country?—Yes.

179. Was that from the natural inability they had to resist temptation?—I should say that is peculiar to a large class of the population. I should not despair so much of an agricultural boy under those circumstances, but I should of boys of the description whose character I refer to in this report.

180. Do you attribute that inability to resist temptation to the want of education?—To a certain extent, undoubtedly.

181. Are you aware that by a Return presented to the House of Commons this year, of the number of juvenile offenders undergoing sentence in each gaol on the 1st of November 1851, above 13 and under 16 years of age, the total was 568; of those the number that have been brought up to definite occupations was 554; and the number unable to read was 327?—Yes, I have no doubt of it. I will put in a Return which will illustrate it a little further. I had the following table compiled:—

THE following Table exhibits the Sentences to Transportation and Imprisonment of the Total Number of Male Offenders, under Seventeen Years of Age, convicted at Assizes and Sessions, and those also convicted under and imprisoned under Summary Jurisdiction in England and Wales, in the Years 1849 and 1850.

Terms of Imprisonment and Sentences of Prisoners under 17 Years of Age.	Under Fourteen Days.	Fourteen Days, and under One Month.	One Month, and under Two Months.	Two Months, and under Three Months.	Three Months, and under Six Months.	Six Months, and under One Year.	One Year, and under Two Years.	Two Years, and under Three Years.	Three Years, and upwards.	Unlimited Terms of Imprisonment.	Whipped, Fined, or Discharged on Sureties.	TOTAL.
Assizes and Sessions 1849	168	182	319	287	386	271	55	7	2	- -	25	1,702
Assizes and Sessions 1850	138	181	242	158	345	330	87	3	- -	- -	16	1,500
Summary Convictions 1849	2,500	2,777	2,078	769	630	25	2	- -	- -	2	4	8,787
Summary Convictions 1850	2,070	2,146	2,024	725	725	10	- -	- -	1	2	- -	7,703

	Seven Years, and under Ten.	Ten Years, and under Fourteen.	Fourteen Years, and under Fifteen.	Fifteen Years, and under Twenty-one.	Twenty-one Years, and upwards.	For Life.	TOTAL.
Sentenced to Transportation 1849	145	55	6	4	1	3	214
Sentenced to Transportation 1850	120	40	- - -	4	1	2	167

Total of both classes of Juvenile Prisoners, 1849 - - - 10,703
Ditto - - ditto - - - ditto - - 1850 - - - 9,370 } Decrease, 14·2 per Cent.

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The following Return shows the degree of instruction of all prisoners tried at assizes or at sessions during the last 10 years:—

THE following Tables exhibit the Number of Male Offenders, under Seventeen Years of Age, Committed for Trial at Assizes and Sessions, and those Convicted Summarily, in the Years 1841, 1842, 1843, 1844, 1845, 1846, 1847, 1848, 1849, and 1850, with their Educational Knowledge at the Period of their Committals, in *England* and *Wales*.

TABLE, No. 1.

LOCALITY.	Years.	STATE OF INSTRUCTION OF PRISONERS TRIED AT ASSIZES AND SESSIONS.										STATE OF INSTRUCTION OF PRISONERS UNDER SUMMARY CONVICTIONS.									
		Total Number of Offenders.	Can neither Read nor Write.		Can Read only.		Can Read or Write, or both, imperfectly.		Can Read and Write well.		State of Instruction not ascertained.		Total Number of Offenders.	Can neither Read nor Write.		Can Read only.		Can Read or Write, or both, imperfectly.		Can Read and Write well.		State of Instruction not ascertained.	
			Number of Prisoners.	Proportion per Cent. to Total Tried.	Number of Prisoners.	Proportion per Cent. to Total Tried.	Number of Prisoners.	Proportion per Cent. to Total Tried.	Number of Prisoners.	Proportion per Cent. to Total Tried.	Number of Prisoners.	Proportion per Cent. to Total Tried.		Number of Prisoners.	Proportion per Cent. to Total Summary Convictions.	Number of Prisoners.	Proportion per Cent. to Total Summary Convictions.	Number of Prisoners.	Proportion per Cent. to Total Summary Convictions.	Number of Prisoners.	Proportion per Cent. to Total Summary Convictions.	Number of Prisoners.	Proportion per Cent. to Total Summary Convictions.
ENGLAND and WALES.	1841	2,479	1,014	40·9	608	24·5	712	28·7	145	5·9	–	– –	6,315	3,152	50·	1,437	22·7	1,561	24·7	126	2·	39	·6
	1842	2,850	1,115	39·1	726	25·4	880	30·9	129	4·6	–	– –	7,089	3,443	48·6	1,704	24·1	1,802	25·4	117	1·6	23	·3
	1843	2,739	1,036	37·8	671	24·5	919	33·5	113	4·2	–	– –	7,260	3,404	46·9	1,726	23·8	1,970	27·1	139	1·9	21	·3
	1844	2,687	1,075	40·	668	24·9	849	31·6	95	3·5	–	– –	7,312	3,060	41·9	1,833	25·1	2,213	30·3	182	2·4	24	·3
	1845	2,668	887	33·2	762	28·6	917	34·4	102	3·8	–	– –	6,370	2,657	41·7	1,527	24·	1,980	31·1	188	3·	18	·2
	1846	2,720	986	36·2	765	28·1	873	32·1	96	3·6	–	– –	6,526	2,626	40·3	1,374	21·1	2,346	34·	157	2·3	23	·3
	1847	3,188	1,134	35·6	883	27·7	1,043	32·7	128	4·	–	– –	7,200	2,960	41·1	1,540	21·4	2,489	34·6	180	2·5	31	·4
	1848	2,585	934	36·1	658	25·5	880	34·	113	4·4	–	– –	9,285	3,981	42·9	2,053	22·1	2,980	32·1	235	2·5	36	·4
	1849	2,263	848	37·5	540	23·8	802	35·4	73	3·3	–	– –	8,787	4,063	46·2	1,798	20·5	2,704	30·8	194	2·2	28	·3
	1850	2,041	772	37·8	476	23·3	698	34·2	95	4·7	–	– –	7,703	3,563	46·3	1,551	20·1	2,432	31·6	130	1·7	27	·3
Annual Mean - -		2,622	980	37·4	675	25·7	857	32·7	109	4·2	–	– –	7,385	3,291	44·6	1,654	22·4	2,248	30·4	165	2·3	27	·3

TABLE, No. 2.

LOCALITY.	YEARS.	STATE OF INSTRUCTION OF BOTH CLASSES OF PRISONERS.									
		Total Number of Offenders of both Classes.	Can neither Read nor Write.		Can Read only.		Can Read or Write, or both, imperfectly.		Can Read and Write well.		State of Instruction not ascertained.	
			Number of Prisoners.	Proportion per Cent. to Total of both Classes.	Number of Prisoners.	Proportion per Cent. to Total of both Classes.	Number of Prisoners.	Proportion per Cent. to Total of both Classes.	Number of Prisoners.	Proportion per Cent. to Total of both Classes.	Number of Prisoners.	Proportion per Cent. to Total of both Classes.
ENGLAND and WALES	1841 - -	8,794	4,166	47·4	2,045	23·3	2,273	25·9	271	3·	39	·4
	1842 - -	9,939	4,558	45·9	2,430	24·4	2,682	27·	246	2·5	23	·2
	1843 - -	9,999	4,440	44·4	2,397	24·	2,889	28·9	252	2·5	21	·2
	1844 - -	9,999	4,135	41·4	2,501	25·	3,062	30·6	277	2·8	24	·2
	1845 - -	9,038	3,544	39·2	2,289	25·3	2,897	32·1	290	3·2	18	·2
	1846 - -	9,246	3,612	39·1	2,139	23·2	3,219	34·8	253	2·7	23	·2
	1847 - -	10,388	4,094	39·4	2,423	23·3	3,532	34·1	308	2·9	31	·3
	1848 - -	11,870	4,915	41·4	2,711	22·8	3,860	32·5	348	3·	36	·3
	1849 - -	11,050	4,911	44·5	2,338	21·2	3,506	31·7	267	2·4	28	·2
	1850 - -	9,744	4,335	44·5	2,027	20·8	3,130	32·1	225	2·4	27	·2
Annual Mean - - -		10,007	4,271	42·7	2,330	23·3	3,105	31·	274	2·8	27	·2

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182. Would you not infer from that, if there was education among the lower classes, that children who had been convicted and imprisoned might turn out good citizens in this country?—It might be so, but I scarcely think it. These boys, who have been over and over again in prison, have received a great deal of education in prison. It is singular how soon the effect of that education is forgotten. Some of those boys have been taught to read five or six times over, and have entirely forgotten what they have learnt. Many of these boys, who are of good families and have been at work, have entirely forgotten the education they received at the national schools. There was scarcely one boy I saw this morning but what had been three or four years at a national or other school, and they were 25 in number.

183. Do they forget even to read?—Yes, many boys who have been at the prison school will entirely forget to read. In the three or four months they are in prison they apply themselves diligently, for the sake of breaking the monotony of the prison discipline.

184. If education were more spread, your remarks would not be so strictly applicable?—I think so; that would very much depend on the sort of education to which these children were subject. I think much of the education they undergo is useless to them; it is not of a sufficiently useful or interesting nature to keep up an interest in their minds.

185. Still, although you have very little hope of their turning out well in this country, yet you think a course of discipline at these reformatory establishments will enable them to become honest persons in the colonies?—I have found it to be the case; I hardly hoped it.

186. Marquis of *Blandford.*] Have you at all weighed in your own mind what particular branch of education, now given to them, is so useless?—I should only say, generally, I think it is not sufficiently of a secular nature. I think in many of these boys there is distaste almost created in them by a constant reference to the Bible on all educational questions, making it rather a spelling book, or education book, or class book, than a sacred book. There are very many other elements of education which would interest these boys more, and be of greater advantage, than familiarising them so much with the Bible as a class book.

187. If a more educated class of masters were introduced into the schools, they would administer the same amount of religious education, but do it in a more interesting manner?—I have no doubt of it; the want of good schoolmasters throughout the prisons is very generally felt.

188. Mr. *Adderley.*] Do you see any objection to other children being admitted to these schools?—Very great indeed.

189. On what ground?—On the ground I have already stated: I unhesitatingly give my opinion that the project of combining penal and pauper schools would be fatal to the effect of both. It has always been found impossible, with the requisite attention to health, to make any material distinction in the food, or even the treatment, of able-bodied paupers in union houses, and criminals under imprisonment. The distinction between the pauper and criminal boy in the proposed schools would be still less; it would provoke most injurious comparisons between both parties.

190. *Chairman.*] Would there not be considerable objection on the part of the guardians, and the public out of doors, to having paupers put in the same situation as criminals?—Yes; and it would in fact slope the way to crime in the mind of the pauper, who would continually have before his eyes the spectacle of boy thieves sent to a school for instruction, in place of a prison for punishment.

191. Mr. *Adderley.*] Would you have the same objection to such boys as are now found in ragged schools, without any means either of schooling or employment, being sent to these reformatory schools, although not detected in crime?—I do not know that I should; but in connexion with that question I may say, that in regard to prisons there are a great number of these boys who ought never to be sent to prisons at all, who are rather subjects for the union workhouses, and who ought to be there. I recollect at Liverpool a recommendation I made some years ago was productive of good effect, which was, whenever there was a boy of this description who had no parent or relation to come for him at the gate, he should be invariably sent to the nearest workhouse. This had a beneficial effect for a considerable time. I think it ought to be generally carried out. The parents of some of these children have lost sight of them for years.

192. Have you seen a union workhouse school?—Yes, I have seen some.

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193. Are they worse than the prison schools?—I have no means of forming an opinion as to that.

194. Compare Red Hill School with the best workhouse school you ever saw?—I think, of course, there must be a great deal more contamination going on in workhouses than in prisons at the present moment; I mean those prisons which are well ordered.

195. Which gives the best education?—I can only say, with regard to the education in prisons, it does not at all please me; I am quite satisfied that a better course of education might be pursued in prisons. At the present moment there is a difficulty from the frequent interruption by the discharges of the prisoners.

196. Mr. *Milnes.*] Does not your experience go to this, with regard to prison schools, that there has been great truth in what has been frequently asserted before Committees of this House, by gaolers and persons connected with prisons, that there is something utterly irreconcileable with that elasticity and general freedom which is the life of the school, and requisite for all good education?—I do not coincide in that opinion at all; I do not think that there is; I think quite differently. I think, if humanity was to be subjected merely to the dull discipline of a prison, without any means, however small they might be, of alleviating it, a prison would indeed be a most wretched place, and not reconcileable with sound morality.

197. Do you not think that there is something in the necessary regulations of a prison which makes it impossible to establish within its walls, consistently with its regulations, a really effective and useful school for young persons?—I have seen very great utility from the education of prisoners in many cases.

198. The question had reference to juvenile prisoners?—I have known very many juvenile prisoners benefited much by the school in the prison; but if you ask me if the school in a prison can be as efficacious as a school out of prison, I should say it is quite impossible, because the boys who are committed to it are only there a short time. In the year 1850, 2,070 boys were sent to prison for periods of 14 days; 2,146 were sent for 14 days and under one month, and for one month and under two months 2,024, which constitutes the great bulk of juvenile delinquency. Therefore you cannot expect the effect of a prison school will be very great on boys coming in month after month. However, I am not altogether satisfied with the way these boys are dealt with in the schools.

199. Mr. *Fitzroy.*] Have you found the progress of scholars in prison schools less rapid than boys in other schools?—Frequently more rapid; because it breaks in upon the discipline, which is disagreeable, and a prison school is looked upon as an agreeable object in opposition to the monotonous discipline.

200. Mr. *Adderley.*] Are they very intelligent children as a class?—Yes, most precociously acute upon certain points; on other points they are profoundly ignorant.

201. Sir *W. Jolliffe.*] Then you attribute the failure more to the short period the boys are in prison than to the severity of the discipline itself?—There is no doubt of it; the short sentences of these boys prevent your doing anything with them. What are you to do with a boy who is sent for a few days' imprisonment? If a boy is found under those circumstances, what I recommend is, to make him or his parents find sureties for his good behaviour.

202. Are you well acquainted with the discipline carried on in union workhouses?—I have seen several of them in agricultural districts; I have no knowledge of them in London.

203. With respect to classification, the discipline of the gaol is sufficiently perfect to maintain classification of prisoners; can it be so in a union workhouse?—It is not so. The able-bodied ward of the union workhouse is the great focus of corruption. When I was connected with the northern and eastern districts, I traced the concoction of several of the incendiary fires to the corruptions of the union workhouses; I could name the workhouse, but I refrain from doing so.

204. When you said "able-bodied ward," do you allude to the able-bodied ward for women as well as men?—Yes; if you look at the labour in the workhouses, it is not of any intensity.

205. Mr. *Milnes.*] In regard to the operation of the Summary Convictions Act, do you find that these children who are sent to prison for these short periods thereby acquire a criminal reputation, so as to be looked on as persons who have been

been sent to prison, and have thus, as it were, made the first step in crime?—Any child being sent to prison is the first step in crime, whether it is under the Juvenile Offenders Act or any other Act; there is no increase of crime arising from the Juvenile Offenders Act; the difference is this, that prisoners who were formerly sent for trial are now summarily convicted. But there is one anomaly in respect to it which has struck me as being attended with great disadvantage, which is the restriction of the punishment of whipping boys to 14 years of age. Two boys are brought up for the same offence, a boy of 14 and a boy of 15; the magistrate has the power of whipping the boy of 14, and not the boy of 15, although convicted of the same offence.

206. Mr. *Adderley.*] Would you give the power up to sixteen years of age?—Yes.

207. Would you generally advocate more corporal punishment?—No; but still I think at the same time it would be most mischievous to do away with it; it acts *in terrorem.* In prison, if any boy is sentenced to be flogged, it is remaining unexecuted until within the last few days of the expiration of his sentence. That boy is sure to behave well during the whole time of his imprisonment, and conform to all the prison rules, while the flogging is hanging over him.

208. Do you not think a more common use of corporal punishment would be useful?—It is a very difficult question; I do not think corporal punishment, or any other punishment, can relieve us from this scourge of juvenile delinquency. On these boys it has no effect at all, because they are the slaves of a certain condition. They are living at night under arches, and in privies, or wherever they can in low lodging-houses. Their parents have abandoned them, or they have abandoned their parents, which latter is sometimes the case. What are they to do? They can do nothing but come in and out of prison; after a certain time they get the uneasy feeling that they must be transported. It is the fear of transportation that has induced several of the boys to enter the Philanthropic Society.

209. There is a wish to go abroad?—There is, but not as a transport; to go abroad as a free settler, but not to go abroad with a ticket of leave. A sentence of transportation on a boy, if he has committed a crime, should be carried out. You have too few punishments already; if you lessen the distinction you will increase the difficulty.

210. Mr. *C. Legh.*] Does the fear arise from the treatment they expect to receive in transportation, or do they object to leave the country?—They fear they will not be in the same condition as emigrants.

211. Mr. *Adderley.*] Do they think they will not be so free?—Yes.

212. Mr. *Tufnell.*] In objecting to the commitment to pauper schools, are you aware of any instance in which it has been tried?—I am not.

213. Are you not aware of the ragged schools in Edinburgh, and that it is the practice to commit juvenile delinquents to school for small offences, instead of committing them to prison?—I am not aware of it. What do they do with them at night? I have heard of the ragged schools in Edinburgh, but I do not know whether they could commit them legally.

214. If you found that practice answer, would not that alter your opinion?—I should hardly like to give an opinion on that subject.

215. Mr. *Milnes.*] Do you not, however, think that children under our present system are very often treated criminally for faults of so slight a character, that if they were committed by children in any more fortunate state of society, those children would never be considered as criminals at all?—I have not considered that; but half the crime committed in this country altogether is exactly in the same case. Many offences are condoned, in the middle and even in the upper classes, of which we know nothing.

216. Do you think evil exists in an exaggerated form in its application to children?—It certainly exists; I should not say in an exaggerated form.

217. Mr. *Palmer.*] A variety of offences are committed by children, which, if they are treated at all, must be treated as felonies?—The magistrate has no option; he must do his duty.

218. *Chairman.*] Have you any further suggestions to add to those you have already favoured us with?—I do not recollect anything else.

The Rev. *Sydney Turner*, called in; and Examined.

Rev. *S. Turner.*

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219. *Chairman.*] YOU are Resident Chaplain of the Philanthropic Society's Farm School at Red Hill, near Reigate?—I am.

220. How long have you been connected with that society?—I have been 11 years connected with the Philanthropic Society.

221. How long has that society existed?—More than 60 years; it was founded in 1788; 64 years ago.

222. About what number of children, so far as you have the means of ascertaining, have been under the care of that society from first to last?—I should think about 2,500; I am not able to give the exact number.

223. The society did carry on its operations in London?—It had a large establishment in St. George's Fields, Southwark, in which there were workshops for shoemaking, tailoring, ropemaking, and things of that kind. There it contained three distinct departments; there were the sons of convicted felons, and criminal boys for reformation in the male school, and girls who were the daughters of convicts in the female school.

224. At that time the only establishment of that society was in London?—Yes; the society was originally founded in Hackney, in small houses. Benevolent people started a sort of association; they took three or four cottages in which a dozen boys were collected together, very much on the principle of the Rauhe Haus, at Hamburgh. After that, they removed to St. George's Fields, having a separate establishment in Bermondsey, into which they took the criminal children received for reformation. They finally amalgamated that with the establishment in St. George's Fields; the numbers there were usually about 110 boys and 30 girls.

225. When did they cease to occupy those premises in London, and remove to Red Hill?—In April 1849, a beginning was made. The change was carried out in the course of the year.

226. Is that quite in a rural situation?—Completely; three quarters of a mile from the railway station, and two miles from the town.

227. In your opinion, has the removal to Red Hill been advantageous in carrying out the objects of the society?—I think very much so indeed, both as respects the discipline of the boys, and as respects provision for them when they leave the school.

228. State what are the objects of the Philanthropic Society's Farm School?—The society has two great objects in view; one the individual reformation of the children it receives, and the second the amelioration of the condition of that class of children generally, a subject which in the last three or four years it has endeavoured to press upon the Government and Legislature by petitions and otherwise, and by agitating the public. But its main function is the practical reformation of the individuals whom it receives. Those individuals consist of three or four descriptions. There are the boys who come to the school more or less of their own will; then there is the class who are sent to it, being sentenced to transportation, and receiving a conditional pardon, these are compulsory inmates; and there is a third class, who are placed under our care by their parents, or immediate relatives, who pay so much a week in most cases towards their maintenance.

229. What number of each of those classes have you at present?—We have now 52 of the voluntary class, 38 of the young transports under conditional pardon, sent by the Government from Millbank, and 24 who are partially paid for by their relations or friends. I include in the voluntary class those boys who are received from the Westminster Bridewell on account of the Government, of whom you have heard from Captain Williams; they had the offer made, and they accepted it; and although we have a certain legal control over them, yet it might be difficult to enforce that control after their sentence has once expired.

230. Have you both boys and girls?—No girls; all boys.

231. Mr. *Adderley.*] Are all the three classes criminal?—Every boy in the institution has been convicted of crime, except two; there is one a son of a convict, and one taken under peculiar circumstances, as so connected with crime that he seemed a proper subject, his uncle paying for him 5*s.* a week.

232. *Chairman.*] Is your society incorporated?—Yes, by an Act of Parliament passed in 1806.

233. How are the funds supplied?—Our funds come partly from landed property

property that we now have in London, partly from voluntary subscriptions, donations, and legacies, and partly from the payments for boys contributed by their relatives or by the Government, or by any county association which subscribes to our establishment.

234. Mr. *Adderley.*] How many county associations are there?—There is one in Staffordshire, one in Cheshire, one in Norfolk, and one in Surrey. There is one in London, the Sheriffs' Fund, but they do not send to us.

235. *Chairman.*] Do they send to any similar institution?—They chiefly assist women, and send some to the Refuge for the Destitute. But I am not sufficiently acquainted with their operations to describe them.

236. Did you not say that the result of moving your establishment from London to Red Hill has been decidedly advantageous?—Decidedly.

237. In what respects?—The discipline is so much milder; there are really, in proportion, fewer attempts to escape than there used to be in London. There is a much better spirit among the boys, and they improve so much faster.

238. Marquis of *Blandford.*] Where were you situate in London?—In the immediate vicinity of Bethlehem Hospital.

239. You have now more facilities for agricultural operations?—Yes, we have now field labour; before we had only house labour.

240. *Chairman.*] Enumerate the advantages that have resulted from the change?—The employment of the boys in small groups together, instead of their being collected in a shop. They are now scattered over the fields, and are made acquainted with nature; the circumstances and occupations have a very softening and improving effect upon them.

241. With regard to the kind of labour you give them, it is one of an agricultural character?—Yes, and considerably harder, in point of real work, than anything they could have in London.

242. Mr. *S. Herbert.*] But quite novel to them?—Novel to the large majority; they are from all neighbourhoods, but the majority are town boys.

243. Is the novelty an advantage?—So far as to interest the boys' minds first, but a disadvantage as to the making them soon useful. It is very often distasteful; it as often repels them as attracts them.

244. Marquis of *Blandford.*] Do they prefer the field labour to any other?—I should say decidedly not.

245. It is rather more laborious?—Yes, and most of the town boys think it rather below them; they think it is stepping down in society to pass from a mechanic to an agricultural labourer.

246. Do you teach them any trade?—We have sufficient carpentering and smiths' work, shoemaking, and tailoring to provide for our wants. We do not teach these as trades; certain parties of the boys enter those parts of the establishment for a time.

247. *Chairman.*] What has been the result with respect to finding employment in the colonies for those boys?—We have been singularly successful in that branch of our operations. We began with great difficulty, and were obliged to exercise very great caution; in fact, there was nobody inclined to receive boys who had anything of a prison stamp upon them; but, through the agency of one of our committee, who has a large connexion in the colonies, we have gradually succeeded in establishing a connexion with America and Australia and the Cape of Good Hope, all of which work well.

248. How many young settlers have gone out?—Since we have been at Red Hill, we have sent out 101; we had sent out 55, before we had left London.

249. One hundred and one since 1849?—It was 1850, in fact; they are not sent out before they have been with us twelve months. From the boys at Swan River we had a remittance of 20*l.* stopped by consent from their wages, as a subscription to the society; they went away from us in August 1848.

250. Marquis of *Blandford.*] Are they consigned to any individual in the colony, or do you send them out at a venture?—To individuals.

251. *Chairman.*] Persons in whom you have confidence?—Yes.

252. Mr. *Adderley.*] What is the nature of the engagement?—At first it was two or three years' apprenticeship, but the colonists have seen the propriety of the advice I gave them, of never attempting to confine lads of this class for more than twelve months. They take them now for twelve months, and after that the boy has the option of re-engaging or seeking other service. Out of nine boys

sent to North America in 1850, six kept their situations from fifteen to eighteen months, and all of them are now doing well.

253. What arrangements do you make for their passage?—Everything is paid for by ourselves; the colonists pay nothing.

254. What ships do they go out in?—We arrange with respectable agents in London. The boys go out as independent emigrants.

255. Have the Government anything to do with the arrangements of the voyage?—Nothing whatever; the Emigration Board declined; we have borne the cost ourselves; the Government pay for the emigration of their own boys, viz. they repay us the expense of any boy of theirs we send out.

256. Mr. *S. Herbert.*] They go in the same way?—Yes.

257. *Chairman.*] Do you make arrangements for hearing from those boys who go out to the colonies?—I make arrangements to get as many letters as possible. From the American boys I have had several; from the Australian ones I hear more rarely.

258. Mr. *C. Legh.*] Have you heard from other persons how they turn out?—From North America we have an accurate report.

259. Can you state what accounts you have had of their conduct after they have landed in the colony?—They have been on the whole very satisfactory. I could lay the North American Report before you, because it is a full and complete document, and a very interesting one. The Australian boys are complained of as being too independent when they land; they are engaged before they land, and they have formed friendships in the course of the long voyage with the people on board, and that occasionally leads them to other paths of employment.

260. Mr. *Adderley.*] Are they not consigned to a particular person?—They are consigned to a particular person, but they do not always take the advice of that person when they land.

261. Does any person take charge of them from the time they leave you?—No; we endeavour to interest any respectable passengers, or the captain and surgeon; to give them too much in charge would be to give them too much of a criminal status.

262. Mr. *C. Legh.*] In the North American colonies do they place themselves under the persons you select for them?—Yes, and abide by their directions very faithfully.

263. Mr. *S. Herbert.*] That is because there is not such a demand for labour, and they are glad to have the means of getting labour through those agents of yours?—Yes, and the voyage is so much shorter, and the society is so much more like our own in the North American provinces, that their minds do not change so much.

264. *Chairman.*] Looking at the information from North America, what proportion of the whole turned out well?—I have had only one instance reported to me from North America of a boy turning out ill out of 30.

265. Mr. *Adderley.*] Were there any peculiar circumstances in that case?—He was an Irish lad, the son of a soldier, who had been a vagrant. I sent him there more to give him a chance than anything else, and I mentioned to the parties who took him that I had not much hope of him.

266. Mr. *S. Herbert.*] Do you make a selection of those you send to the colonies, or do you send them all alike?—It is a premium held out to the boy, which he must earn by his good conduct, industry, and proficiency.

267. In cases of boys who behave ill at Red Hill, what do you do with them?—If they are compulsory inmates, we keep them till they behave well; or, if they are perfectly hopeless, we apply to the Government to receive them back. That has not happened yet, but it will happen next month; I shall have to apply to the Government on the subject. If they are voluntary inmates, they would generally desert us, or demand their discharge.

268. Do you include among voluntary inmates those sent from Westminster by the Government?—Yes.

269. Mr. *Adderley.*] Are there many such desertions?—I can hardly yet speak with confidence on the per-centage, the school being so newly formed; but I am inclined to think that the desertions will not be seven per cent.

270. Do you mean by desertion, absconding?—I mean the entire absconding; I do not reckon it any absconding if a boy, who has not seen his friends for a long time, to run away to go and see them, and is brought back or returns; but

there

there are some who will demand to be discharged of us, who are tired of it, or escape in such a way that you cannot recover them.

271. Mr. *C. Legh.*] What methods have you to preserve discipline?—Nothing but the ordinary methods of a school of reform.

272. What punishments have you for refractory boys?—Confinement; we have cells.

273. Dark cells?—No, light cells; there is a small window in them.

274. Any corporal punishment?—Very little; I should refuse to give up the power of inflicting it, but I rarely allow it; I prevent it as much as possible. In the beginning I always administered it myself; I do not think we have it once in six months; I only allow it for disgraceful offences. I should not prevent the schoolmaster giving a boy a rap on the hand in school, or any petty school correction; but anything like a formal flogging could not be administered without my express leave.

275. Are the children more unruly than in ordinary schools of the same class?—I can hardly judge in comparison with other schools, but the boys are very orderly; they are very amenable to discipline, and they give very little trouble upon that point. We do not insist on a vast quantity of minute points of discipline; they are not required to turn their toes out, or hold up their heads as at drill, but they are required to be punctual to time, to be cleanly in their persons, and to be very particular in their language; any indecent expression, or any impudence of any kind, is at once punished. In addition to the cells, we have punishments of less food, and pecuniary fines, tasks, and other things.

276. Mr. *S. Herbert.*] Do they receive wages?—They are allowed a certain consideration for their labour, estimated from 1 *d.* to 3 *d.* per week. This they are allowed to spend in extra clothing, in little articles of neat dress, like neck-cloths, or pocket combs, or caps, or gloves; but the main part is spent upon the schoolboy's usual pleasures of the stomach. They pay for their letters out of it, and occasionally they make subscriptions. Last month they subscribed 1 *l.* to one of the lads in North America, who wanted some assistance from the society. They lately contributed also 7 *s.* 6 *d.* to pay the expenses of recovering a little boy who was one of two that ran away. They thought he was an object of compassion, as having been led away by the other. They asked me to excuse him, and volunteered to pay the expenses of the police in bringing him back.

277. *Chairman.*] Describe the regulations under which the Government inmates are received?—There are two classes; those from Millbank, sentenced to transportation; they are usually very young.

278. What age?—They average from eight or nine up to 13 or 14; they are chosen on conference between Captain O'Brien, as director of Millbank Prison, and myself. I select a few boys whose cases seem proper ones for interference. He revises that list, and picks out such as he thinks fit, and recommends them for a conditional pardon, which they receive. Then the other class of inmates are those Captain Williams has spoken of, and whom he has been mainly instrumental in sending, prisoners sentenced to imprisonment for various terms; some for three months, and others for six, nine, or twelve months.

279. Do you wish to offer some observations on the subject of these conditional pardons?—The ages of those boys whom we receive from the Westminster Bridewell and Wandsworth Prison are greater than the ages of the transports; they are usually from 14 to 17 years old; they come to us with an average of four or five months of their punishment excused or compounded for, on condition of their submitting to detention for an unlimited term instead. Hence arises what is the real difficulty of conditional pardons applied to these cases; a boy often feels to a certain extent imposed upon when, his sentence being up, you enforce the detention; that is, if he be an unwilling subject. He does not like, in fact, exchanging a period of almost indefinite detention to him, for the short definite period of confinement he would be subject to; the conditional pardon does not work so comfortably for the boy in this case. They are not so valuable in the cases of short imprisonment as they are in cases of transportation, where the boy is fixed and settled for many years, in which case it is a great boon to him to pass two years in a school instead of three years in a prison.

280. Mr. *Fitzroy.*] In one case the engagement is voluntary on his part?—Yes; and when he comes to realize the amount of daily labour and control that is sometimes enforced on him, he sometimes looks back on what he has done, and says, "It is a voluntary engagement I made; I was foolish to do it."

Rev. *S. Turner.*

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281. Marquis of *Blandford.*] What proportion of the day is occupied in manual labour?—About eight hours.

282. In the summer?—Winter and summer.

283. Manual labour; field labour?—Yes.

284. That must take up the whole day?—Yes; their schooling in winter is before breakfast and after supper.

285. *Chairman.*] Give the Committee a general idea of the discipline and employments?—At this season, the summer, they rise soon after five, and having made their beds and put their sleeping-room to rights, go to work at six. They leave work at eight. From eight to nine they wash, breakfast, and attend prayers in the chapel. From nine to twelve, they are at work or in school. At present two-thirds attend school and one-third work in the forenoon. They leave work at 12 and dine. At one o'clock work is resumed, and continues till half-past five. The boys who do not attend school in the morning come up for instruction at three o'clock in the afternoon. At six they sup. At seven they have reading, singing, and prayers, being in bed at eight. This is the usual routine.

286. Mr. *Fitzroy.*] How many beds do the dormitories contain?—They contain 26 single beds each.

287. *Chairman.*] What is the nature of the work they are put to?—Every description of work which the bailiff wants them for. In winter there will be a good deal of trenching the ground and grubbing. We have a good deal of woodland, of which they have brought into cultivation now from six to eight acres, and they trenched in the course of last year nearly 12 acres two spits deep; we pay them a penny a rod for the digging, and so much a cube yard for the stones, to make sure that the digging is well done. In the grubbing we pay them so much a cube yard for the roots and pieces of stone, and all they get out of the ground.

288. Mr. *Adderley.*] Is there tailoring too?—Yes, but chiefly for the repairs of the clothing. There are usually about four or five boys employed in tailoring, two in shoemaking, two in carpentering, and two in the smith's shop.

289. Do you devote any boys to a particular trade?—Farming is the trade, as the means of emigration training. A certain number of boys take it in rotation, a month about, to be at the farm-house, and to attend to the cattle, learning to milk and look after the cows, and do everything connected with the horses or stock.

290. *Chairman.*] Are any trades taught?—No; if a boy knows a trade before he comes, he is allowed to carry it on, that he may not lose it; and some boys who have an aptitude for tailoring are allowed to learn enough to mend their own clothes.

291. What is the kind of diet that you give these boys?—The amount of what they eat is this: the highest class, the oldest and best boys, will have in the course of the week eight pounds and three quarters of bread, one pound and a half of meat, five ounces of butter, two ounces of cheese, and a pound and a half of suet pudding. Twice a week they have half a pound of meat, twice a week a quarter of a pound, twice a week pudding, and once bread and cheese.

292. Is that higher or lower than the boys' diet in the workhouses?—It is different from the boys' diet in the workhouses; there is less soup.

293. Which is the better?—I should think the workhouse boys were best off in quantity, and our boys as to amount of nourishment. The lowest class, that is, the boys who have forfeited their privileges by idleness, or any fault, have no pudding, and have nothing but dry bread on those days; they have also less meat. The boys all drink milk and water.

294. *Chairman.*] What is the number of your staff?—There is myself, as chaplain, secretary, and general governor; there is a schoolmaster, and at present one assistant schoolmaster; a matron or housekeeper, who superintends all the clothing and cooking; a female cook, and a baker. Then there is the bailiff; and, altogether, we generally employ five labourers, a carter, a cowman, and three working men.

295. Mr. *S. Herbert.*] As instructors?—They work with the boys; teach and overlook them; we have also a gardener, whose wife works as needlewoman.

296. The number of boys being on the average how many?—One hundred and ten. But this staff would be adapted for a larger number of boys. In case of the increase which we are now contemplating, we should not add more than one assistant master, one labourer, and one needlewoman.

297. *Chairman.*] What is the increase that you are contemplating?—We are now

now building additional houses, to hold about 80 more boys, in consequence of the arrangement that was made by the late Government and sanctioned by the present one. The basis of that arrangement is this: if the Government will assist in paying for the maintenance and clothing of a certain number of young prisoners, to be selected by their own officers, and will afterwards pay the expense of providing for them on discharge, we will find them lodging, instruction, and superintendence. The rate we have fixed on with the Government is 18*l.* a year per head, exclusive of the expense of future disposal. A very close calculation of the expense of those hundred boys brings it to that; it will be about 18*l.* 10*s.* each, including the expense of extra superintendence, &c. This is not a grant to the society; it is a grant, in fact, to the Secretary of State and the officers he employs, to enable them to assist boys at their discretion. We only receive as much as we spend.

298. Sir *W. Jolliffe.*] It is a Parliamentary grant for meeting the expenses for this mode of disposing of young prisoners?—It is not an assistance to the society, but a relief to the juvenile prisoners.

299. Mr. *S. Herbert.*] They give you nothing more than the actual cost of the boys you take?—That is, so much per head. I heard some gentleman ask what was done with the large sums we have received; the large sums do not amount to more than 800*l.* a year.

300. Mr. *Adderley.*] Do the actual expenses amount to 18*l.*?—Not the expenses; there is the staff.

301. You said that parents paid 5*s.* a week?—In certain cases; others much less.

302. Then the payment does not cover the expenses?—No.

303. *Chairman.*] What is the annual cost of your establishment?—In last year it was, for 93 ⅓ boys, including the emigration charges, and the London office which we have to keep up, 3,621*l.*, giving an average expense of 38*l.* per head, including the emigration. If you strike off the Emigration and the London office, the expense was 2,790*l.*, which will give you an average of expense of about 29*l.* per head. The addition of those 100 boys will bring down that average expense from 38*l.*, including the emigration, to 33*l.*; or from 29*l.*, without the emigration, to about 24*l.*

304. Marquis of *Blandford.*] How many acres of land have you in cultivation?—One hundred and fifty our farm consists of; we have 30 meadow, 12 still woodland, and the rest arable.

305. The profits that you derive from the farm go to the support and maintenance of the institution?—Yes; last year our farming account showed this result: we paid every expense connected with the cultivation and the industrial training of the boys, their tools, seeds, and extra manure, and the wages of the labourers who instructed them; and we paid a rent of 1*l.* per acre, and then realized seven per cent. on a capital invested on that stock, which was about 1,200*l.* That was the second year; I hope we shall make a better figure this year. Everything is taken credit for in the shape of milk, wheat, meat, butter, and other produce.

306. You employ a great deal of spade labour?—We have already a great deal; we shall have a great deal more as we get on. Our spade labour is confined at present to the winter occupations and the garden.

307. Mr. *Fitzroy.*] Do you pay them for all the work they do?—Their work is estimated at a certain rate, varying from 1*d.* to 2*d.* If a boy is only marked "fair" on his industry, he gets nothing; if he is "good," he receives 1*d.*; if he is "very good," he receives 2*d.*: but much of the work is done as taskwork, which can be correctly valued.

308. Marquis of *Blandford.*] You have five labourers?—A cowman that takes care of the stock, a carter, and three common labourers.

309. Will those three labourers be sufficient for the cultivation of that farm, without the boys?—You would not think of employing so many; one carter, one constant labourer, and one occasional, would be as many as the size of the farm would require.

310. *Chairman.*] Is it at all probable that an institution of this kind could be made self-supporting?—I do not think it is. There is one element which diminishes the profit, and that is, that the boys are sent away from us as soon as they are sufficiently improved to be useful. We look on it as our business, not to make a profit for ourselves, but simply to prepare the boy for life; directly he

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can earn 5*s.* or 6*s.* a week, we send him away. Therefore we are always instructing raw material, and always going through the expense of the wear and tear and breakage of tools incident to that.

311. Sir *W. Jolliffe.*] What number of horses do you keep?—Four, but that is more than we should keep if we had not to cart coal, &c.

312. Mr. *S. Herbert.*] The staff consists of about four persons engaged, apart from the labourers on the farm?—I may say three, to direct the education; the chaplain, the master, and the assistant-master.

313. Does that enable you to make any treatment of the boys according to their individual character, or are they put into one class, and dealt with all alike?—They are dealt with in three classes; the first class are the best scholars; the second class have a medium amount of scholarship, and the third class can scarcely read.

314. Have you monitors?—The master employs monitors as he wants them; we have no fixed monitors for school teaching.

315. You have nothing that resembles the family system that has been begun on the Continent?—We began with an imitation of that, and our buildings were so constructed as to have two separate houses, each having its own kitchen and domestic arrangements entirely apart. I have been obliged to give that up on account of the great difficulty of finding masters in England who will work together on a footing of independence, and yet of entire fraternity. I have now, therefore, only one chief, and an assistant. The boys are, as far as possible, distributed in the hours by association together in separate classes.

316. Do you think the number of staff is sufficient to get that intimate acquaintance with the boys as will enable you to treat them differently, according to their different character and temperaments?—With such a number as 100 or 150, I should say, certainly; it does not take more than a week or 10 days to know the circumstances and character of a boy.

317. What is the process of treatment of a boy when he first arrives?—No difference is made; he is received *sub silentio*, quietly; he is placed in the class he seems most adapted to work in, and in the case of school, the instruction that he is most prepared for, and he is treated as if he had been there three months, except that he is a little more attentively studied privately by myself and assistants.

318. Is there a conventional tone yet among the boys that acts on the new comers, that restrains boys that are indisposed to it?—I think that is beginning; I think they understand what they come for; they have an idea that the school is a natural thing, a good thing for them to be sent to.

319. Mr. *Fitzroy.*] For what period have the longest been there?—Two boys have been there nearly from the beginning, but they are very young boys; the greater part not more than 12 months, nor so much as that. Our admissions are at the rate of 70 or 80 a year; we received 24 in the month of February; we have received altogether, since the institution was first opened at Red Hill, 288.

320. Are they under any superintendence, except that of the labourer, during the time they are performing field work?—The labourer and a monitor; one of the older boys acts as a monitor, looking after the tools and directing the work; the bailiff looks after all, both the labourers and boys, and sees that they are doing their work.

321. You stated that improper language and swearing was punished; how is that enforced during the time they are out at farm labour together?—The labourer has a book in his pocket, in which he writes down the name of the boy who is guilty of it, and reports it; the boys are brought to a sort of court of inquiry once a week, all the offences of the week past being entered into on the Monday, either in the middle of the day or in the evening, and then each boy is dealt with according to his conduct; his diet next week is regulated by his conduct of the past week.

322. Are those labourers yearly servants?—No, weekly servants.

323. Are they paid the usual rate of agricultural wages in the district?—The usual rate, with a slight addition in consideration of the additional superintendence that is required from them.

324. Are they men of recognized good character, and any educational attainments?—They are steady, useful men; two of them can write, and two of them cannot.

325. Mr. *Adderley.*] Do you contemplate pupils of the school being used in those positions?—No, they would leave us too soon.

326. Could you not keep them for that purpose?—They would think they were kept for our advantage, not their own.

327. Mr. *C. Legh.*] Can you furnish the Committee with any grounds for believing that the pupils are reformed by their stay at Red Hill School?—Only by the return of the conduct of those abroad, and of many of them who are in this country. I could give you a minute return if it were wished.

328. Of the children who remain in this country?—There are a few in this country who have been apprenticed or placed out by means of their friends; 34 have been placed out in England, chiefly by their friends.

329. *Chairman.*] Have you paid any attention to the present state of the law with regard to the treatment of juvenile offenders?—Yes.

330. Have you turned your attention to the Acts of Parliament under which they are now regulated?—Before we ventured on that it would be necessary to consider whether we were looking at the question with a view to general legislation for the prevention of crime; to start, in fact, a new system of treating crime; or whether we were wishing for palliations or alleviations only of present evils. If we are to confine our ideas to the last point, to take the system as it is, and see how it can be alleviated, I do not see anything that could be done better than the encouragement and formation of asylums or refuges of such a class as our own, adopting such suggestions as Captain Williams has made with regard to offenders giving security for good conduct, thus giving powers of detention. The great difficulty with those asylums is, that they have no power of detention in ordinary cases. By such an enactment as has been suggested the boy would be both placed under the control of the law, and I presume the State held responsible for his maintenance and support during the period. That would therefore provide for a considerable number; but that would leave comparatively untouched the great mass of boys who are continually being recruited for crime at much younger ages.

331. Mr. *Adderley.*] Who have not been convicted?—Who are convicted for trifling offences; who are introduced to a prison for trifling offences, and who could hardly come under the operation of a law of that kind.

332. Those third-class boys who are placed with you by their parents, have those all been in prison?—All but one of those placed by the parents.

333. There is one boy in your school now who has never been in prison?—One.

334. What are his parents?—His father was a gentleman's coachman; he is now a cabdriver and ostler in London, a man of low habits and character; his wife was a respectable woman, but she is dead. The boy was found in very remarkable circumstances by the uncle, the brother of the wife. The story is so curious that perhaps I might mention it. This boy and three younger children, two sisters and a little brother, were left at home by the father while he went to amuse himself or get drunk, and locked them up, leaving them to starve. The boy contrived to take his brother and sisters away from the father's control, took a lodging for them in Gee's Court in Oxford-street, and took them out singing in the streets, being himself the manager, guardian, and steward of the whole party, of course living by their means. The uncle found them out, placed the other children in proper schools, and placed the boy with us on a payment of 5 *s.* a week. We took him as being a vagrant, although he had not been convicted or sent to prison; he was amenable to the law as having begged about the streets.

335. Sir *W. Jolliffe.*] What was his age?—Fifteen.

336. Mr. *Adderley.*] Who placed him in your hands?—The uncle, with the father's consent, and the uncle pays for him.

337. Do not you conceive that there might be many such cases, in which children, not having been convicted of crime, might come to you with the consent of their parents or guardians?—Many parents apply for boys who have not been convicted; our objection to taking cases of this sort is their apparent encouragement of crime. We think, if a boy has done wrong, he ought to be punished for what he has done; to suffer in proportion to the misdemeanour before any charitable assistance should be extended to him, for the sake of society.

338. *Chairman.*] Do you conceive that the treatment you adopt is partly penal and partly reformatory?—Yes, but we think there should always be a penal antecedent;

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tecedent; it would be difficult to lay down any rule by which unconvicted children should be taken. I do not know where we could stop.

339. Mr. *Adderley.*] Have you had such an exceptional case before?—We have had a number of cases, but very rarely on terms of payment.

340. Then there is no shame which deters parents from sending their children there?—No.

341. It would not be considered a degradation, on the part of many poor parents, to send their children there?—Not with many.

342. Mr. *Fitzroy.*] You would not consider such institutions as these substitutes for prison discipline?—I do not see how they could be, if they are to be maintained on the basis of free discipline and self-action, which fits the boy for emigration.

343. Do you think it desirable that the boy should undergo a certain amount of punishment in the prison before he is transferred to your institution?—He should undergo some process of correction, either in a well-regulated prison or in some school of correction particularly appropriated to him, before he enters on the free life of such a place as the Philanthropic, as it is now constituted. But there would be no difficulty in so constituting the Philanthropic, as to provide it with a penal stage, and to have a detentional ward in it; a portion of it in which the boy should be placed when he first enters, under more stringent regulations and with less liberty.

344. Mr. *Adderley.*] You said admitting unconvicted children would be a premium to crime; is it not a premium to crime that no child can be admitted except through a process of crime?—The child is not admitted because he is a criminal, but being criminal because he is helpless. There are other institutions which are supposed to be adapted to those cases which are not of a criminal sort.

345. There is a pressure on the part of children unconvicted to come into your society?—There are distinct classes to be dealt with, children who are criminal, and children who are not. There is a large class of schools for children who have not come under the grasp of the law. This is one which expressly addresses itself to that class which is under the grasp of the law.

346. Can you tell me whether there is any workhouse school in your neighbourhood where there is the same amount of education given as at Red Hill?—I am afraid not what I should think so useful, but a more highly intellectual education.

347. Within a workhouse?—Yes, at Red Hill workhouse.

348. Mr. *C. Legh.*] Is it expedient that a child should have punishment first, with regard to the ultimate improvement of the child himself, or what other cause?—With reference to two points: with reference to society at large, and certainly with reference to the offender himself, because the basis of reformatory training must be laid in a certain experience of suffering.

349. Sir *W. Jolliffe.*] And this charity was particularly instituted and promoted, by those who support it, for the correction and maintenance of children who have fallen into the misfortune of crime?—Yes, that of itself restricts us.

350. Mr. *Adderley.*] Could you mention any other objections, further than those you have stated, to the class of children found in ragged schools, and the class of children found in workhouse schools, being admitted into your institution?—No, I see no *primâ facie* objection to it, except that for what they have done they should be corrected or punished before any efforts of benevolence are made for their assistance.

351. However young they are?—Yes, making the punishment appropriate to their age.

352. Suppose they have not been detected in any crime, have you any objection to their being admitted?—None whatever; but it would cease to be a reformatory school.

353. Why?—Because we should receive a large number of objects who were not there for reformation.

354. The question alluded to the class found in ragged schools, and the class found wholly destitute, and without any provision in workhouse schools?—I should be much better pleased to see almost all the children who were under the control of the ragged schools transferred to the parish schools and the union schools, and those schools made effective, than to see the workhouse children or the ragged-school children placed in a criminal status, and brought among those who are expressly for reformation.

355. Many of the boys of your school ought not to have been put in a criminal status from the nature of their crimes, and it is a hardship on many of them that they have been so put, and most injurious to the interests of the country?—There are a few cases of boys who are there, in which their offences have been such as sleeping out, or hawking without a licence, or trifling things of that kind, which hardly seem to be anything more than conventional offences; but the great mass of them have been convicted for dishonesty. If a boy does a criminal act, I do not see how I can possibly say he is not to be placed in that category.

356. Supposing that the Red Hill workhouse school is a good one, yet uniting it with Red Hill Reformatory would make it a much better school, from having a larger number of boys of the same stamp; should you see any objection to improving the school by uniting the two?—I think you would run the risk of lowering the general standard of moral feeling as to crime, and the necessary punishment of crime, among the workhouse children, if they were to be associated, without any restriction, with those who had been sent to prison and punished.

357. You do not consider there would be any sense of degradation on the part of the pauper children?—I have stated that those parents who have applied for the admission of their children under peculiar circumstances, have evinced no idea of degradation in so doing. It would be a different thing if we threw open a professedly criminal school, and invited pauper children into it.

358. *Chairman.*] Would you not have public feeling against you if you did that, on the ground that that was a hardship on the pauper children to subject them to?—It would greatly depend on another point of the question, whether the age should be retained till the ripened age, that we now allow with regard to juvenile offenders. If we were to lessen the class of juvenile offenders to something like the limit of thirteen or even fourteen years of age, you could then speak of them more expressly as children, as having less moral responsibility, and you could regard their crimes more as childish offences, and treat them as the lower class of children. But Red Hill School receives lads of fourteen, fifteen, or sixteen, who are as deliberate in their offences as many men.

359. Mr. *Adderley.*] Up to a certain age you do not see so much objection to a combination of the two?—If we were to deal with the question on a much younger footing of age, I should not see so much difficulty then; I should wish to press that point upon the Committee, whether boys convicted of trifling offences of mendicancy and vagrancy, and being found destitute and subject to police interference, should not be sent to the union school; whether they are not the parish charge and parish care. Why they should be sent to prison and become a portion of the criminal classes, I cannot say.

360. *Chairman.*] Would you give a justice of the peace the power of sending them to school instead of to prison?—I would give a justice of the peace the power of sending the child to the union school of the district.

361. Mr. *Fitzroy.*] Have the guardians any power of compelling the child to remain in school?—I believe not, under a certain age.

362. *Chairman.*] As the law stands he might discharge himself; it might require an alteration of the law; if it did, should you think such an alteration most desirable?—Most desirable; I was going on to say it would be a most important thing if parents could be held responsible for the maintenance of the children.

363. Mr. *C. Legh.*] Do you think a large proportion of these children are orphans?—No, not a third.

364. Have a large proportion stepmothers?—About half have either stepmothers or stepfathers.

365. Do you think the unkindness of the stepfather or stepmother is a common cause of crime with the children?—I do not know whether it is direct unkindness or not, but the altered state of the family, the altered state of the home, does seem a very powerful incentive to criminality.

Veneris, 14° *die Maii*, 1852.

MEMBERS PRESENT.

Mr. T. Baines.
Mr. Palmer.
Mr. Monckton Milnes.
Mr. Cornwall Legh.
Mr. Adderley.
Mr. Sidney Herbert.
Mr. Monsell.
The Marquis of Blandford.
Mr. Tufnell.
Mr. Cowper.
Mr. Fitzroy.
Sir W. Jolliffe.
Mr. Miles.

THE RIGHT HON. M. T. BAINES, IN THE CHAIR.

Matthew Davenport Hill, Esq., called in; and Examined.

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366. *Chairman.*] I BELIEVE you are one of Her Majesty's Counsel, with a patent of precedence?—I have a patent of precedence.

367. How long have you had that patent of precedence?—From the year 1834.

368. How long have you been at the bar?—I was called to the bar in Michaelmas Term 1819.

369. You are also, I believe, Recorder of Birmingham?—I am. I was appointed Recorder of Birmingham in the year 1839.

370. You are now, I believe, a Commissioner of Bankrupts?—I am now one of the Commissioners of Bankrupts for the district of Bristol, and have consequently left the bar.

371. Before you were Queen's counsel, did you attend the Warwick sessions on the Midland circuit?—I did, for nearly 15 years.

372. At the Warwick sessions there was always a large number of prisoners, I believe?—There was always a very large number of prisoners at the Warwick sessions, and there was also a very large number of prisoners at the Warwick assizes.

373. And, I believe, as Recorder of Birmingham, it is your duty in the course of the year to try a very large number of prisoners?—It is my duty to try a large, but, I am glad to say, a decreasing number of prisoners, although the population of the borough rapidly increases.

374. How often do you sit as Recorder of Birmingham?—Four times a year certainly, and I hold additional sessions, which are regulated by the state of the gaol; generally about six sessions in the course of the year, and sometimes as many as eight.

375. Since you became Recorder of Birmingham, about how many prisoners should you say you have tried in the course of a year?—I have been Recorder of Birmingham now nearly 13 years, and I must have tried at the rate of about 400 a year; that would be about 5,000 prisoners, sometimes acting by my deputy, but not very frequently.

376. Were many of those prisoners boys?—Yes, a very large proportion of them.

377. Perhaps exceeding the average of other places?—I should say a high average, but I think you will find that point discussed in my evidence before the Lords' Committee of 1847.

378. At the Birmingham Conference you stated that of the number of prisoners you have tried there were a very great many boys, and you say that the number much exceeds the average of other places, from the peculiar nature of the trade of Birmingham?—Yes.

379. Are you able to state at this moment, from memory, what the correct number would be?—I cannot at this moment state the correct number, but it was ultimately given correctly in my evidence before the Lords' Committee, though not so in the first instance.

380. Have you, as recorder, adopted a practice in the treatment of young persons, boys, convicted before you, which has been attended, according to your observation,

observation, with salutary results, and if so, be so good as to state to the Committee what that peculiar practice has been?—During my attendance as counsel at the Warwick sessions, I found that the magistrates were in the habit of sending both boys and girls immediately after conviction, when they had reason to suppose the prisoners were not hardened, back to their parents or masters, when these were respectable, and when they were willing to take charge of the young persons; no means were taken, nor could well be taken, to ascertain the result of these experiments, but I had reason to believe that they were on the whole successful. In the year 1841, I adopted a similar practice, with this addition, that I caused the name of the guardian or patron, who took the charge of the young person, to be entered in a book, and he signed it, as an obligation that he would do his best; and I caused the police to make inquiry from time to time (at no certain intervals, in order that their coming might be unexpected both by the boy and by his master), as to his treatment and as to his conduct; and in the course of time I had reason to believe (and such was the opinion of the superintendent of the police in Birmingham) that by this mode of proceeding more were reclaimed than of those who were sent to prison in execution of the usual sentence following their offence; that plan has now been in operation more than 10 years. In the report of the Birmingham Conference, which was held in December last, which I think is before the Committee, the results of this plan are stated, at page 101.

381. Allow me to ask you whether, in the cases you have mentioned, you send them back without punishment altogether, or after some punishment?—Without punishment altogether after trial; but necessarily they have received imprisonment, which may be called punishment, before trial; with that I could have nothing to do, but my object was immediately to put them under reformatory action.

382. You are now going to state the results, as far as they have come to your knowledge, I believe?—I am going to state the results as I find them here. I can procure a more elaborate statement, which I can add to the Appendix of your Evidence. 117 prisoners were given up to their masters between the years 1842 and October 1846; that must be between the beginning of 1842 and October 1846. The first table shows that 48 turned out well, and that their characters have been since irreproachable; 29 are doubtful; 40 have remained bad. The second table shows that a total number of 66 went back to their masters in the years 1849, 1850, and 1851, and by that table it appears that out of 66, 44 have turned out well, 11 doubtful, and 11 ill.

383. That is a much more favourable result than the former, is it not?—It is a much more favourable result, and I attribute the better result to a greater knowledge obtained by myself of the character of the masters and guardians to whom I entrusted these young persons; for I found, after some time, that persons now and then put themselves forward as willing to take charge of the prisoners, who considered that they had accomplished their object when they had obtained a remission of punishment, and who really took no charge of the young person or child at all. I have since then been extremely careful in making a proper inquiry into the character of the guardian or master, and have found that when he has been kind and zealous the number of relapses has been proportionably small. At the same time, I was myself astonished at the result, and took great pains to ascertain its correctness, but I was not able to shake the testimony that was given to me. I am now disposed to put confidence in that result. I will add, that I have not considered a second conviction, or what the French call becoming a *récidive*, as the only evidence of failure, but disorderly, indolent, debauched conduct on the part of the young person, although that has not brought him again under the lash of the law, I have considered to be evidence of failure.

384. Mr. *Miles*.] In passing sentence upon these persons convicted before you, in what way, or by what law, were you empowered to use that action which it seems you have done with so much success in prisons?—The form that the sentence takes is imprisonment for a day; and I will not attempt to conceal from the Committee that the legality of my proceedings has been questioned, and it has been questioned in high quarters. I myself believe that I am acting legally, or I should not, consistently with my oath of office, consider myself justified in so acting. I am very sure that I am acting beneficially, and therefore I persevere; at the same time, if by any authority I should be legally pro-

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nounced to be in error, I should very humbly and submissively bow to that authority; but until that occurs, I think it extremely probable that I shall persevere in this course till a better course is found, which I consider would be found if a good reformatory system for the treatment of juvenile prisoners were established.

385. *Chairman.*] Your attention has been drawn, I have no doubt, to the subject of the juvenile offenders?—My attention has been drawn very much, and for many years, to the subject of the number of juvenile offenders, and I have read from time to time the statistical tables which give the number apprehended under a given age, both as a mode or as a means of ascertaining the total number of children who are engaged more or less in criminal transactions, and also of those who are in a state in which they must inevitably soon become criminals. I have no faith in those tables, or rather, I should say (because I do not mean to impugn the accuracy of the tables), that when they are carefully examined they do not profess to give the total number of criminals; they can only give the number of detected criminals; whereas the number of crimes that are committed, and which are undetected, is enormous, and the number of persons who go on for a long period without detection is very great. If you were to ask me the evidence for that statement, I should say that I gather it from a number of little facts which have come to my knowledge during a long series of years, but I think it may be shown *a priori* to be so by these considerations: we all know that there is a very large body of persons in this country, both old and young, who make crime their calling, and who depend upon it for their trade and their maintenance; now, if every fifth or sixth, or, perhaps, tenth offence were detected, that trade or calling would be so interrupted that it could not be carried on; the very fact, therefore, of there being notoriously a very large body of persons in this country who live by crime is, to my mind, conclusive proof that the number of detections, as compared with the number of crimes, is very small. Probably the Committee is aware that there is an association among the bankers in this country, by which a register is kept of forgeries upon banks; I believe I am correct when I assume that that association extends not merely to London bankers, but to country bankers also; and, some years ago, the table was published which will be found in the first Constabulary Report, which was understood to be drawn up by Mr. Chadwick; I speak from recollection of that table; I should say that it appeared that not more than one in sixty of the offences actually committed was detected; I may be wrong in the proportion; I speak from memory, and I will correct my memory by a reference to the table before my evidence is printed*; that is my impression; I know it is very large. Now, when it is considered that the passing of a forged note is the offence of all others most dangerous to commit, because, unlike other offences, it cannot be committed in secret, and in the dark, (as the person committing the offence must expose himself to the observation of the person to whom he passes this forged note); when, then, this most dangerous offence is so infrequently detected, what must be the case of criminals who pursue crimes which are much more safe in their commission? That is the course of reasoning by which I have established in my own mind, in connexion with a multitude of facts which have occurred to me during the many years that I have considered the subject, that the number of criminals, old and young, must be very great indeed.

386. Has your attention been drawn to any leading causes of juvenile crime; if so, be good enough to inform the Committee what they are?—It appears to me that juvenile crime results from the concurrent operation of a considerable number of causes. I could not make, and, perhaps, I should not profitably employ the time of the Committee by attempting, a complete enumeration of them; but I will point to some; and I will point to some that are in augmenting operation. Let me first draw the attention of the Committee to the augmenting magnitude of our towns, as containing within itself a great source of crime, both adult and juvenile. A century and a half ago, as far as I have been able to ascertain, there was scarcely a large town in the island, except London—when I use the term large town, I use it with reference to the subject under hand,—I mean where an inhabitant of the humbler classes is unknown to the majority of the inhabitants of that town; by a small town, I mean a town where, *e converso*, every inhabitant

* The number is 1 in 164.—*M. D. H.*

inhabitant is more or less known to the mass of the people of the town; I think it will not require any long train of reflection to show that in small towns there must be a sort of natural police, of a very wholesome kind, operating upon the conduct of each individual, who lives, as it were, under the public eye; but in a large town he lives, if he choose, in absolute obscurity, and we know that large towns are sought by way of refuge because of that obscurity, which to a certain extent gives impunity. Again, there is another cause, which I have never seen much noticed, but which, having observed its operation for many years, I am disposed to consider very important, and that is the gradual separation of classes which takes place in towns by a custom which has gradually grown up, that every person who can afford it lives out of the town, and at a spot distant from his place of business. Now, this was not so formerly; it is a habit which has, practically speaking, grown up within the last half century. The result of the old habit was, that rich and poor lived in proximity, and the superior classes exercised that species of silent but very efficient control over their neighbours to which I have already referred. They are now gone, and the consequence is, that large masses of population are gathered together without those wholesome influences which operated upon them when their congregation was more mixed; when they were divided, so to speak, by having persons of a different class of life better educated among them. Those two causes, namely, the magnitude of towns and the separation of classes, have acted concurrently, and the effect has been, that we find in very large towns which I am acquainted with, that in certain quarters there is a public opinion and a public standard of morals very different to what we are accustomed to, and very different to what we should desire to see. Then, the children who are born amongst those masses, grow up under that opinion, and make that standard of morals their own, and with them the best lad or the best man is he who can obtain subsistence, or satisfy the wants of life with the least labour, by begging or by stealing, and who shows the greatest dexterity in accomplishing his object, and the greatest wariness in escaping the penalties of the law, and, lastly, the greatest power of endurance and defiance when he comes under the lash of the law.

387. Do you ascribe any influence as a cause of crime to the state of the dwellings of many of the poor?—A very great influence indeed; it seems very difficult to imagine how it is possible that a dirty, unwholesome, ill-drained tenement, which is too small for the due separation of the sexes, and therefore which is too small for purposes of decency, should contain respectable inhabitants (respectable in a moral sense); and I conceive that every improvement of a sanitary kind will have its operation in the diminution of crime. On the other hand, I am very much disposed to believe that any improvement in the moral desires and aspirations of the class inhabiting these houses will come in aid of sanitary measures: and that if the inhabitants of these wretched dwellings were as strongly impressed as we are with the mischief of living in them, that such a feeling would not be without its effect upon the landlords of the property, inasmuch as the tenants or lodgers would, as fast as they could, remove from them. But the difficulties found in filling some of the model lodging-houses, which enlightened and benevolent persons have established in various towns, shows that, at present, the desire for a change is far from universally prevalent among the classes suffering by unwholesome and restricted dwellings.

388. In large towns, do you conceive the exposure of property, and the unnecessary exposure of property, is to be looked upon as a cause of crime?—A very potent cause of crime, especially of juvenile crime—and I speak here from actual experience—a very large per-centage of all the thefts committed in Birmingham are thefts of property exposed at the doors of shops for the purpose of attracting the attention of customers; and I very much doubt whether, in the state of moral ignorance in which a large portion of our juvenile population unfortunately is, whether a temptation of *this* kind does not arise—that they hardly recognise objects put in this dangerous position as belonging to the real owners; whether they do not consider them something in the nature of waifs and strays, which it is not quite so wicked to take hold of as if the property were under better control. But whatever the motive is, there is not a doubt that a very large per-centage of the thefts of Birmingham, and I believe of every other large town, judging from the complaints which recorders are in the habit of making of shopkeepers so exposing their property, is to be attributed to such exposure.

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389. Are there any classes of children, as far as you have observed, peculiarly liable to crime?—Yes, and the classes may be designated not merely as belonging to a particular town, or a particular country, as I see by taking up the last report of the state of the institution at Mettray, in France.

390. What is the date of that report?—1851. It brings up the state of things to the 1st of January 1851. I find that the classes which supply the children who come to Mettray are much the same as are known in this country to supply young criminals. The first class is the children of criminals: they are hereditary criminals; they are very often trained to crime; they are practically taught to think lightly of it, even when they are not expressly taught to consider it a merit, which they generally are, to commit offences. Those must form a class large in proportion to the whole class of criminals. That class of juvenile criminals extends or diminishes in proportion to the extension or diminution of the whole criminal class of the population. Then illegitimate children: the testimony of inspectors of prisons, and of gaolers, and the chaplains of gaols, is uniform to the fact that illegitimate children form a very large class of juvenile criminals. Orphans, for obvious reasons, form another class. Foundlings and step-children form a large class; and no doubt the children of the very poor form a class. But the result of 30 years' observation upon the subject has been to convince me that poverty, though a cause of crime, is a very much smaller cause than is usually supposed.

391. You are of opinion that fewer crimes are committed under the influence of actual want?—Exactly so; very few crimes indeed, as far as my experience has gone; so few, that I am almost afraid to state how few they are, that have been committed, as far as could be known, under the actual pressure of want. But poverty, where it is accompanied by idleness, whether voluntary, as from a distaste for labour, or compulsory, as from loss of employment, will, by reason of such idleness, be indirectly productive of crime; certainly to a much greater extent than it ever is directly.

392. The character that seems to be common to all those classes appears to be that of moral destitution?—Exactly so; and that indicates the manner in which poverty works; for instance, orphans, if strangers kindly take to them and train them properly, are not more subject to crime than children who have parents, and so forth; but these children are liable to that moral destitution,—that want of training; and I wish emphatically to distinguish between training and what is usually called education, meaning thereby instruction in certain branches, reading, writing, and arithmetic, for instance, which, useful as they no doubt are, are of themselves, I think experience has shown us, very poor defences against criminality. It is training, moral, religious, and industrial, to which we are to look as the chief means of reformation.

393. What, according to your observation, are the chief characteristics of the class of children so brought up?—The characteristic which most strikes those who are accustomed to these children is, that they have in truth all the vices and some of the virtues of savages. They have been called by various names. Sometimes they are called "City Arabs," which is a term certainly expressive of the real state of the individual. He is indolent, averse from any settled or steady employment, averse from restraint of any kind; on the other hand, he is patient of hunger, and thirst, and cold; and as to dirt, he rather delights in it than otherwise; it is by no means an evil in his estimation; and he would much rather be permitted to roam about at large, even suffering at times great privations, than he would be at school or at work, under the restraints which belong to civilized society.

394. Are they open at all to the influences of kindness?—They are open to the influences of kindness after some time, but they are suspicious. They have generally been very much unused to kindness, and they suspect interested motives in those who offer it; but in a short time when they find that kindness genuine and sincere, they are very open to its influence, and are often very grateful. They are open to its influence, because they know what suffering is, and consequently know what it is to be relieved from suffering. But the great difficulty with them is to form the habits of steady application. Before those habits can be at all formed, it is quite clear that the nomadic habits which they have enjoyed from early childhood must be broken through; and I believe we are all of us naturally very much inclined to a wandering life. We have the advantage

advantage of early training to cure that propensity; they have not, and in them it flourishes in all its natural exuberance. *M. D. Hill*, Esq.

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395. Your attention having been directed to the existing state of things, will you be good enough to tell the Committee in the first place whether you consider the law in its present state to be sufficient for that purpose or to be defective?—I am afraid that experience has but too clearly shown that the law in its present state is ineffective to the purpose.

396. Will you point out its defects?—I really think it may be shown by theory as well as practice to have failed, and that if the subject is duly considered, it would appear very astonishing to us if it had succeeded. We proceed upon the retributive principle; the heavier the offence the heavier the punishment. The operation of that, at all events upon young persons, is not happy with regard to their reformation, and not happy, I think, looking at it as deterring others. I think it answers, therefore, neither of the great ends of punishment. It does not prevent the criminal from repeating his offence, and it does not, by way of example, deter others from imitating his conduct. A young person is brought before a magistrate, or a judge, or a recorder, as the case may be; we hear that it is his first offence, by which we mean that it is his first detected offence; but he must be a very unfortunate person indeed if it is his first offence; that is, unfortunate in their view of looking at it. In consequence of his youth, and of its being his first offence, he has a short imprisonment, a fortnight, we will say; now, what is the operation of that imprisonment? If he had any dread of a gaol, from not knowing the place, in the course of a fortnight he loses that dread; he knows exactly what it is, and that, at all events, he is comfortably housed and well fed, and the term is not so long as to make the loss of liberty very sorely felt. He is also, and he knows it perfectly well, stigmatized as having been in gaol; he has therefore passed out of the brotherhood of what our old law calls "the true men," and he has become one of the criminal portion of society; and that he knows, and his attention is very likely to be turned towards his new colleagues; he looks to them as an example, and resolves, not to go to work and be an honest lad, but next time to steal with more dexterity, so as to avoid detection; he also resolves to bear what he finds can be borne, with as much patience as he can bring to the task, looking forward to enjoyment when he shall come out again. Well, this lesson is repeated from time to time; he is never there for a sufficient period to bring him under the operation of a reformatory system, even if a reformatory system could be perfectly applied in a prison, which I think it will be found it cannot be. Under these circumstances, are we surprised that these lessons result in teaching him endurance of the penalties of the law, without any reformatory action upon his mind, and that he should now become a confirmed criminal? I rather think we ought to be surprised that they should be expected to have any other effect.

397. In your judgment, should the treatment of such a person be reformatory in its main scope?—I think it should; and I think that if it were reformatory in its main scope, it would not only reclaim the individual, but that it would do more by way of deterrent example than is done by the present system.

398. So that the reformatory process involves what is in itself a penalty?—Yes.

399. Will you be good enough to explain that to the Committee?—I was about to say that until by good or ill fortune we should discover some sort of chloroform for the mind, the process of reformatory cure must be a very painful one. You make war upon all the desires, all the associations, the wishes, and the aspirations of the individual, and if you succeed, you invert all his habits of mind and body—you make him a new creature. But all that is not to be done without much pain, without many attempts on his part which fail, and much coercion will be necessary on the part of those who have the guardianship over his evil courses—certainly less painful to break through in youth than in age; but at no time of life is an evil habit got rid of without suffering. In the course of the time necessary for his reformation, he would suffer a great deal more pain, and would be known by his companions out of doors to be in a very much less desirable situation, to their minds, than if he were kept in confinement for a period measured in the usual manner by a comparison with his offence, and then permitted to return to his comrades; so that I think all

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the advantage to the public would be better attained by subjecting the criminal to reformatory discipline than to that which is merely penal and retributive; that is to say, pain by way of punishment for offence, but not administered with a view to reformation; and it appears to me, that as regards the exemplary part, if there be the pain administered, and if that pain be known to be administered, it is equally deterrent whether its object is simply to vindicate the law, *id est*, whether it proceeds upon what we call the vindictive principle, or whether it proceeds upon the reformatory principle; so that the reformation of the offender, when attained, is really all so much gain, the example being at all events as signal, and, as I think, much more so, while the prisoner is under the reformatory treatment, than when he is only under the retributive or vindictive treatment.

400. Will you be so good as to point out to the Committee any leading advantages which occur to you as likely to result from the adoption of the reformatory principle of dealing with young offenders?—Every offender reformed, even putting aside all higher considerations drawn from religion and philanthropy, ceases to be the parent of a line of offenders. You cut off, as it were, the hereditary supply in that way. But the time which is necessary to work a thorough reformation which can be depended upon, may be made very useful to the community in this way: It is quite clear that when you take a young offender who has formed bad habits and put him to labour, a long time must pass before that labour can become profitable; he must acquire habits of industry and manual dexterity in some trade or calling before his labour can be of much pecuniary profit. Now, the public mind will be content that you shall retain that young person until he has repaid a portion of the expense to which the public has been put on his account, when they know that the pain which he is enduring in that operation is not vindictive, is not retributive, but is to operate for his own ultimate good; whereas if they did not see that any good accrued to the individual, they would begin to measure his offence against his punishment, and their sense of justice would be shocked at what they would consider the great amount of punishment as compared with the gravity of the particular offence for which he undergoes his punishment.

401. I have before me a Report of the Proceedings of the Conference at Birmingham, on the 9th and 10th of December 1851, and at page 5, I find a description of your *modus operandi*. You have already described the class of juvenile offenders; there are other classes to which I believe your attention has been particularly drawn, with a view to the improvement of the state of the law. Will you describe the first of those classes?—We cannot, consistently with the views we entertain upon the subject of the inexpediency of too much governmental or legal interference between parents and children, venture to interfere, simply because we say, and say truly, now these children are running about the streets, they are not at school, they are not employed in useful labour, and it is quite clear that they must, sooner or later, commit crime, and come under the grasp of the law. We think we must wait until they do come under the animadversion of the law for some offence at present known to the law. But in order to do all we can with the class which has not yet come under the grasp of the law, but which is nevertheless in a state of proclivity towards crime, I am very anxious to see the system of free industrial schools so enlarged as that every parent may have the means, without expense to himself, of sending his child to be trained in habits of industry, and to receive moral and religious instruction, and some instruction in the ordinary branches of education. Schools for this class we call free industrial schools.

402. A large portion of the class of which you are now speaking are really inadmissible for the existing school establishments, are they not?—Yes, they are inadmissible in this way: the gradation of ranks is carried down to the very bottom of society, and it requires a very intimate acquaintance with the lower classes to know the very minute subdivisions of rank which are maintained among them. Now, respectable parents, by whom I mean those who are desirous to fulfil their duty to God and their children, who give them training, religious and moral education, and put into their hands some trade or occupation by which they may honestly maintain themselves, are very much afraid of their children associating with the class, which I have indicated by the term the "City Arab," and I know

that they often confine their children in close apartments, conscious that the health of the children is injured by the practice, but rather choosing that their health of body should suffer than that their health of mind should be destroyed. Now these parents would be extremely loth that their children should mingle in the school with the "City Arab," and they would rather pay—and I am speaking now from practical experience when I say I know they would rather pay—their pence, at great sacrifice to themselves, than that their children should so mingle; and therefore that the establishment of free industrial schools would by no means slacken the disposition of the respectable classes, as I have defined the respectable classes, to incur the expense of a good education; on the contrary, those classes would feel it as a great benefit that when their children went from and came to school, they should not be exposed to contamination by meeting in the streets those poor disorderly creatures. And there is a very strong fact in proof of that position. I trust you will have before you Mr. Thomson, of Aberdeen, and also Mr. Sheriff Watson, the founder of the industrial school of that city; from them you will learn the particulars of a fact which I will mention generally, that the working men of Aberdeen were so desirous that schools for the destitute class should be set up, in order completely to exclude their children from all possible chance of intercommunication, that they subscribed 250*l.* in one sum and presented it to the directors of the Aberdeen school for that purpose, not one penny of which was to be spent for any direct advantage for their own children, but for the great indirect advantage of keeping them out of bad company. Well, then, with regard to the schools for these destitute "City Arabs," probably the Committee would desire that I should say a few words upon the nature of those schools.

403. If you please?—Now the great object to be attained is not so much to impart instruction in reading, writing, and arithmetic, or any of the usual branches of what we are in the habit of calling education, as to reclaim these children, turn them from enemies into friends, and bring them back into the great brotherhood of man; and therefore it becomes necessary that the instruction which they receive shall be directed to that great object rather than to mere mental or manual acquirements. Now, for that purpose, it is found that the persons who are elected masters or governesses require very peculiar talents; they are not easy to find; they do not exist in any very large number; and even those who do exist are not readily found, because you cannot very well apply any test to them. You may find persons who will go through, with great credit, all the examinations which the Committee of the Privy Council, or rather, the Committee of Education, have prescribed, but still they shall not be persons having that power over the heart and the will, which seems to be a gift vouchsafed by Providence to certain individuals, so that you have no means of selection but by a long acquaintance with the particular candidate. It is a fact thoroughly well established, that in very many cases persons so gifted, have not the ordinary ability for making the common-place acquirements; they may be most useful masters and mistresses, and yet they may be utterly unable, by any exertion that they are willing to make, to pass the examination; and thence there is great difficulty with regard to the support which this class of schools requires from the Government funds. It has been most reasonably prescribed, that masters and mistresses of the respectable schools—those schools to which the children of respectable parents would go—should have these acquirements; but I rather think it will be found very necessary that the rules should be relaxed in respect of schools for the destitute class. It cannot be expected that destitute children should ever acquire much of common learning. If they learn to be honest men and women, and to maintain themselves, a vast deal is accomplished; perhaps all that ought to be attempted. And these schools must be visited often; persons must make themselves intimately acquainted with them before they can clearly discern the difference between one teacher and another, in gaining the affections and governing the will, and directing the aspirations of these poor, neglected young creatures. The consequence of all that is, that from the state in which city Arabs are found, not only must you have these gifted persons, but you must have a greater number of teachers in proportion to the number of pupils than are necessary, even in the higher class of schools. It is also difficult to keep the children at the school; attendance at school so conflicts with their wandering and idle habits, that unless they are treated with a good deal of kindness, and even with some indulgence, as little as

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may be, but still with some indulgence to their faults, they will not attend, and if they do not attend they are never brought under the operation of the system, and no good is done; and in order to maintain this great influence over them, you must have fewer pupils in proportion to the number of masters than there are at present. So that, in truth, these free industrial schools are more expensive to maintain; they press harder upon voluntary funds for their support than is the case with the higher schools; first, because the higher schools have the benefit of the pence which are paid by the children, and secondly, because in themselves they are not so costly, for the reasons that I have given.

404. You have now been speaking of the class whom you have elsewhere described as "Those who have not yet subjected themselves to the grasp of the law, but who, by reason of the vice, neglect or extreme poverty of their parents, are inadmissible to the existing school establishments, and consequently must grow up without any education, almost inevitably forming part of the perishing and dangerous classes, and ultimately becoming criminal;" that is the class which you have been describing?—Yes; and these schools are for the purpose of inviting them, and doing all that can be done, without coercion, to induce them to come under training.

405. I will now turn your attention to another class, namely, "Those who are already subjecting themselves to police interference by vagrancy, mendicancy, or petty infringement of the law;" what provision do you suggest with reference to that class?—The suggestion which stands here is industrial feeding schools, with compulsory attendance.

406. Is that a suggestion in which you concur?—It is a suggestion in which I concur; the suggestion which I have made in this book, and which I have signed, is that there should be industrial feeding schools for them; here we introduce for the first time the principle of compulsion.

407. The principle of compulsory attendance at these schools?—Of compulsory attendance. Now it has been found necessary, in many instances, for the purpose of doing away with all possibility of excuse on the part of the parent, and of real and absolute difficulty on the part of the child, to feed the child when he comes. Painful as it must be to the Committee to hear it, these poor creatures are sometimes in a state in which it is utterly impossible to give them instruction or treatment of any kind until they have had food; they are in a state of starvation; well, then, it is not proposed that the Government should furnish these funds, but that they should be as far as possible obtained, through the instrumentality of the law, from the parents themselves, and it is the opinion of some who have well-considered the subject, and who have tried experiments upon it, that with regard to that portion which cannot be obtained from the parents at the feeding schools, that it had better be left to local voluntary contribution; that it is by no means so burthensome as at first sight would seem, and is nothing more than may be raised by the contributions of the benevolent. And the reason why it has been thought better that it should be put on this footing is, that it is evidently a mode of administering charity very open to abuse; and while the funds are provided, either by the parent, or by those who watch the administration of them, it is supposed, and I think with some reason, that abuse is better guarded against than in any other manner. Now, there again, for the practice which supports this theory, I must refer the Committee to the evidence which they will have from Aberdeen, where the experiment has been tried, and more completely tried than in the South, and where indeed it has been more fully tried, than it ever can be in the South, the law remaining as it is.

408. They have a local Act, have they not?—I am not at all sure whether they do not exercise a vigour a little beyond the law for a very good purpose; however, nobody objects to it, and its success has been very great. They begin with declaring there shall be no vagrancy of young persons, mendicancy or idling in the street in this city at all; and they bring before magistrates, or persons in some sort of authority, I hardly know what, all children who are found thus conducting themselves, and they compel their attendance at school; of compulsion, of course, they exercise as little as possible, but they are very zealous and very benevolent. They operate as much as they can upon the minds of the parents, and they operate upon the children also by giving them this food, and certainly it must be admitted their success in diminishing juvenile crime has been astonishing; it is all but extinguished in the city of Aberdeen.

409. Are you aware how many years that experience has been carried out?—I think the experiment has been carried on about six years, but I am speaking merely from recollection.

410. Do you happen to know whether that is the case in Edinburgh?—I believe that much good has been done in Edinburgh, but I am not so well informed with regard to the state of Edinburgh; however, I know you will have evidence upon the state of Edinburgh, and I anticipate it will be of a very gratifying kind.

411. With regard to the food that you speak of, I presume it is not to go beyond what is absolutely necessary?—No; and the cheapness is something surprising, as we find at the industrial school at Birmingham, an industrial school founded by the rector of St. Philip's, Mr. Grantham Yorke, a brother of Lord Hardwicke. I think he gives a dinner, a sufficient one, to the children, at the expense of 7 ½ *d.* per week per head. But I trust it will be the pleasure of the Committee to examine that gentleman, who has given much time and attention to this subject.

412. What kind of education would you suggest as proper to be given in this class of schools?—I thought I had intimated the objects. With regard to details, would the Committee allow me to refer to my friend Miss Carpenter, who has devoted her time and talents and fortune for 17 years to schools of this kind, and who will give evidence upon the subject.

413. Miss Carpenter is the author of a book entitled "Reformatory Schools for the Children of the Perishing and Dangerous Classes, and for Juvenile Offenders?"—That is the lady.

414. There is a third class; those who have been convicted of felony, or such misdemeanors as involve dishonesty?—Yes; we have proceeded on this principle, that we must reverence the paternal rights as long as they are not abandoned; but that where they are abandoned, either by overwhelming misfortune or by neglect, still more by perversion, that then it behoves the State to become the parent of the child; that upon the State his maintenance must ultimately fall if he grows up in the commission of crime; and that looking only to it as a question of pounds, shillings, and pence, it is better that the State should step in early than late. Now with regard to the minor offences which do not involve dishonesty, we think that it might be harsh to say that the parent had entirely waived his rights over the child, and therefore we only interfere in those cases in a qualified manner, by making it compulsory that he should send the child to school, not depriving him of the society of his child altogether. But when an offence is committed which involves dishonesty, and which shows that the young person has entered upon the career of crime as a calling, as a means of subsistence, then matters take a very different appearance; and then, inasmuch as by the ordinary course of law as at present administered, the child would be separated from his parents and shut up in prison for a time, we think it but reasonable that if he is, for his own benefit, subjected to a more lenient treatment by way of reformation, still the State should assume all the power over the child. At the same time, it is not because the father has abandoned his rights, that the State is to allow him to neglect or abandon his duties. With respect, therefore, to his maintenance and training in the reformatory school to which he is then to be sent as a boarder, to remain there until his reformation is completed, if the parent can pay all or any portion of that expense, we think it most reasonable that he should be compelled so to contribute; and moreover we think that, without reference to the pecuniary profit, it would be vindicating a great principle to force him to pay, even if the machinery by which he was forced to pay were so expensive as that nothing which came from him ultimately went into this fund; so important is it to make parents feel that in suffering their children to acquire habits of crime they are bringing burdens upon themselves; and so important is it to make them understand that in this country no man is to be a gainer by his own misdoing. Well then, we do not presume so to interfere with the law as it now stands, as to make it imperative upon judges and magistrates to send young convicts to these reformatories; but we restrict ourselves to an enabling power, enabling them to do it if they, judging in each particular case according to the circumstances of that particular case, believe it to be desirable.

415. Would you make any suggestion as to the discipline of this last class of schools?—Yes; I have had occasion to pay a good deal of attention to the mode of treatment at Mettray and at Redhill, which is the school of the Philanthropic

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anthropic Society, who have been so fortunate as to obtain the services of my excellent friend, Mr. Sidney Turner. Mr. Sidney Turner is here. He, as the head of one of the most eminent of these establishments, will probably be able to speak with more weight than I could upon that part of the subject. I have a very great respect for that establishment, and I have also a very great admiration for that of Mettray, which I have had opportunity very carefully to study upon the spot.

416. Will you be good enough to state to the Committee, whether legislative enactments appear to you to be necessary to bring into operation the first class of schools; namely, the free day-schools?—As to the first class of schools, in which no compulsion enters, it does not appear to me that legislative interference is necessary at all; that Her Majesty's Committee of Privy Council for Education has, by the law as it stands, power to deal with this subject to the full; and that all that is to be done is to lay respectfully before them the reasons which have operated upon our minds to lead us to the conclusion, that the present arrangements, although well calculated for schools of a higher class, are not such as enable the schools of our first class to be established without pressing so hard upon voluntary subscriptions, as in truth to operate almost by way of prohibition against their multiplication.

417. The object to be obtained there, as I understand you, to be such an extension of the present Government grants from the Committee of Council on Education, as may secure the maintenance of this class of schools in an efficient condition?—Exactly so.

418. With regard to the second class, namely, the Industrial Feeding Schools, what alterations in the existing state of the law appear to you to be necessary?—Two alterations: one for the purpose of compelling contributions from the parents, to which the machinery of the Bastardy Law may be very well applied, as it appears to me; the other, a power to be given to magistrates to compel the attendance of the children.

419. With respect to the third class, namely, the Penal Reformatory Schools, do you suggest that it would be necessary to give authority to magistrates to enforce attendance at such schools on children of the second class, and to require payment to the supporters of the school for each child from the parish in which the child resides, with a power to the parish officer to obtain the outlay from the parent, except in cases of inability?—Yes; but I have no doubt there would be after all a necessity for a pretty large contribution of funds, either from local taxation or from general taxation.

420. In considering the subject of the reformatory process, are there any facts within your knowledge as to how far attempts of this kind have been successful hitherto; are you acquainted with the institution at Stretton-on-Dunsmore as well as Mettray?—Yes; the institution at Stretton-on-Dunsmore is in Warwickshire, and I believe it is the first of the kind established in England. It is so, as far as I know. It was established by the magistrates of Warwickshire as private individuals, not as exercising any magisterial powers, in the year 1818, and it has been in continued operation from that time to the present. I am very sorry to say that its funds are not in so flourishing a condition as they ought to be.

421. How are the funds supplied there?—The funds are supplied entirely from voluntary contributions, as far as I know.

422. Have the funds been falling off lately?—I am afraid they have; at all events, they have not extended.

423. What has been the result of the experience at Stretton-on-Dunsmore?—The result of the experience at that, which is an industrial school, without walls, and up to a late period without any legal means of restraint (and the legal means of restraint which have now existed since the Act of the 1st Victoria have never been put into operation at Stretton-on-Dunsmore), is that practically the lads who are sent there remain or not, as they please. With this want of compulsion, which is very necessary to keep the boy there until the system has caught hold of him, after which, in the great majority of cases, he will remain of his own accord and be glad to remain.—With this great disadvantage to contend against the number of those who were reclaimed were in the early years 48 per cent., which was a great improvement upon the state of things as previously existing. The last time I made inquiry into the subject, the rate of improvement had made progress, and then amounted to 65 per cent., that is to say, 65 per cent. reclaimed against 35 unreclaimed.

424. When

424. When was that latter inquiry made; was it made very recently?—It is now several years ago; but the Rev. Townshend Powell, who is the chaplain and honorary secretary, and who is the incumbent of the parish in which the institution is situated, has been most zealous and exemplary in his attention to it; and he would be quite ready, I am sure, to give the Committee all the details and information of which he is possessed.

425. I am requested by an Honourable Member to ask you, as the institution has been so successful, to what do you attribute the falling off of the funds?—I do not know to what to attribute it. It has been a painful subject; I have done my best to incite contributions, but I have not been successful; I have never heard that want of success has been advanced as any reason for the diminution of funds.

426. Do you know what is about the cost to each individual there?—I should have said that I could speak with great accuracy upon the subject from the reports which I had abstracted, but Mr. Townshend Powell has lately put forth a letter in which he comes to different conclusions as to cost, and, therefore, I would rather leave that branch of the subject with him. I would mention that this gentleman, who speaks from a very long experience, has advised the magistrates of Warwickshire to offer to take all young persons sentenced to transportation, and to guarantee the Government against their becoming reconvicted for a very small sum, I think 100*l.* or something of that kind; and he believes that the magistrates would actually create a profit by such a contract. I only mention that to show, that whether he is right or wrong as to the particular sum required, it shows the strong belief of a gentleman of long experience in the efficacy of a reformatory treatment; but he is a practical witness, and from him I think the Committee will receive practical information, which is more than I can give.

427. You just mentioned the institution of Mettray; have you visited that institution?—I have.

428. Have you visited that institution more than once?—Twice.

429. At what period, may I ask?—They were both about the same time, that is, in the autumn of 1848. The object of the second visit was to go through the accounts, which are kept with very great minuteness, not merely of their financial concerns, but of the process of reformation. The number who fail, the number who succeed, the number of rewards, punishments, names, and so forth.

430. Where is that institution?—Mettray is about five miles from Tours, upon the Loire; it was founded by Monsieur De Metz, who was a criminal judge in France, but whose mind was so much affected by considerations of humanity, (reflecting upon the fate of the young persons who went from his bar to prison) that he resigned his office; and finding a friend, the Marquis of Bretignolles, who was willing to devote a considerable estate which is at Mettray, to the purpose of founding what they call an agricultural colony for young offenders, these two gentlemen originated the institution, which has been supported partly by voluntary subscriptions, some to a very large extent; one gentleman gave as much as 6,000*l.*, and other persons from all countries have subscribed.

431. What is the date of the institution of Mettray?—I believe it originated about the year 1840. I hold in my hand the last report on Mettray, and I find that the number of colonists, as they are called here, young criminals who are acquitted, because they have acted *sans discernement*, being under 16 years of age (that acquittal being something like our acquittal upon the score of insanity, an acquittal which subjects the individual to restraint); these young persons amounted on the 1st of January 1851 to the number of 1,319; that is the total number of those who have been in the institution, of whom 135 were admitted during the year 1850; 550 being present on the 1st January 1851. And from the foundation of the colony to the 1st January 1851, there were admitted 15 below 7 years of age, 397 below 12 years of age, and 907 about 12 years of age; those who are above 12 must have been between 12 and 16 at most; they must have been between 12 and 16 at the time they were convicted. Now, among those it may be interesting to show how the same causes produce the same effect in both countries; that there are 270 natural children, 470 orphans having lost father or mother, or father and mother; 111 foundlings, or abandoned children; 159 children, which are called here children of a second marriage, "*enfants d'un second mariage*," but I apprehend it must mean they are children proceeding from the first marriage, that is to say, what we should call step-children; there

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are 65 children the parents of whom live in concubinage; 117 whose parents are in prison; and there are 400, not an additional 400, but 400 of the 1,300 odd, whose parents are in a state of poverty; the French is "*enfants dont l'état de la famille est mauvais*;" and 88 children where the state of the family is "*mediocre*;" so that out of 1,300, they only give 480 as coming from a class stricken with poverty, and in that class, no doubt, is to be found many of the children who are orphans, or children of the second marriage, and so forth.

432. Do you know how many of them are children of criminals?—The children of persons actually in prison are 117.

433. Had you an opportunity of conferring with Monsieur De Metz himself?—Oh, yes, very full opportunity while at Mettray; and subsequently by correspondence. I was about to say, that I went through the accounts; and making an estimate where I could not get exact results, and going through the task with very great care and attention, I came to the conclusion that the number actually reformed, and who have become respectable members of society, were 85 per cent. I find here that the number of "*récidives*," that is to say, of those who have been re-convicted after having been sent from Mettray, out of upwards of six hundred or seven hundred whom they have sent into the world, out of 1,300, is only 59; that is to say, at the rate of about nine per cent. Now, that is a very small part when compared with the results in England; but the results in England as regards the numbers of relapsed or re-convicted criminals, are very fallacious, as it appears to me from this circumstance, that unless a criminal is sent to the same prison from which he was formerly convicted, the chances are very much in his favour that he is not known to be already convicted, and he passes as one convicted for the first time. It is very true, that criminals are wonderfully in the habit of returning to the same prison from which they came; but still a very large number, no doubt, even from their wandering habits, many from a shrewd knowledge of the advantage of going where they are not known, must find their way, and we know that in point of fact they do find their way, to prisons where they appear for the first time as convicted, but where, from a thousand little circumstances, the police are very well convinced that they are old offenders, and have been before convicted; yet from a want of the means of procuring evidence, they are not indicted upon their former conviction; and it must be so everywhere, because criminals change their names, and it must be as difficult to recognize them in France as anywhere else. It is, however, stated in the Mettray report, that according to the statistical accounts of the working of the criminal law, the average proportion of *récidives* is only 26 per cent. in France. Now, I believe that that low rate per annum arises from the cause I have indicated, namely, that the criminals are not always recognised as already convicted. Now, with regard to these nine per cent. of *récidives* from Mettray, they are all known; all that go out from Mettray are known and watched, for it is part of the plan of Mettray to establish what they call a "*patronage*;" that is to say, that suppose they send out a boy to be apprenticed at Tours, there are benevolent persons at Tours who act as his guardians, and who visit him and exercise their influence over him, and who report upon the state in which he is, from time to time, to Mettray, and thus it is in any other town in France. So that of these 1,300 they have only lost sight of 10 in their after life; therefore, when you find there are only 59 *récidives*, you may be quite sure that is the whole number of *récidives;* whereas, with regard to these 26 per cent., you can have no such security respecting them. It would occupy too much time to take the Committee through the constitution, if I may so speak, of this establishment; but I will, if they will permit me, call their attention to one point which seems to me of infinite importance, and that is, the respect which is paid to the family principle. These 500 boys are distributed in distinct houses, which are built so as to form a sort of village; 40 boys are in each house, and they have a *contre maître*, or under-master, at their head; he is assisted by two of the boys themselves, chosen by the others; and Monsieur De Metz told me that it was astonishing to him to observe the sagacity and the good faith with which these boys were chosen, the best and most able being always selected. These 40 boys form a family; the houses consist of three rooms each; the ground-floor used as a workshop, the two upper floors, each used as a living room for 20 boys; they eat, drink, and sleep in the same room, hammocks being swung at night, which are taken away in the morning, there being every regard paid to cleanliness and

and ventilation; and the directors attribute a very considerable portion of their success to the feelings which are induced by this imitation of a family. And certainly it would seem that wherever there has been very great success, this principle of family has been kept in view, and has been approached or imitated as nearly as circumstances would permit. Each room is presided over by one of their own number, who is called *le frère aîné*. There is a valuable work on the subject, which brings the history of the institution up to the end of 1850, by Monsieur Cochin, which I have handed to an Honourable Member, and which I will leave for the present with the Committee, if they will permit me. I should say that Mr. Sidney Turner and Mr. Paynter, the police magistrate, a very assiduous friend of the Redhill Farm School, have both been at Mettray, and have very carefully examined it, and published a very valuable report upon it.

434. No doubt you inquired into the matter very carefully while you were there?—I did.

435. And you probably examined and cross-examined closely as to the results?—I did, and I was very much struck with the eagerness with which the conductors invited cross examination. I certainly was startled with the amount of success, and thought it very necessary to examine with some degree of suspicion into the facts, and to try my best to find any flaw, if flaw there were; but I could not succeed in finding anything but what was highly to the credit of masters and teachers, and the pupils themselves, as a body.

436. Did it appear to you that Mettray held out any premium to the commission of juvenile crime?—Not at all.

437. Had it any tendency that you could perceive at all that way?—Not at all, exactly the opposite; but I think there is a good deal of fallacy abroad upon that subject. It is supposed that the process of reformation holds out a temptation to commit offences, in the hope of being brought under a system which is to work good results to the individual. I think there is no danger of that, and that the absence of danger will be evident, if you consider what is the state of mind of those who are supposed to be affected by this example, and who are to imagine that the best way of attaining to something like prosperity in after years is to begin by committing a crime, and by putting themselves under this reformatory treatment. In the first place, you are speaking of a class which acts from immediate impulses and does not calculate; but I think, if you suppose them to calculate at all, your hypothesis ought not to make them stop at a point short of the just conclusion. Now, if you suppose them to act upon far-sighted motives, will they not discover that it is better to put themselves under self-reformatory treatment, and to attain this prosperity without the stigma and the impediment of crime in their way? If you make calculating boys of them, let them calculate thoroughly and truly; but I believe the real answer is, that they look to immediate gratification, and that such is the characteristic of criminals altogether; and that it is absurd to tell them that if they will submit to all the restraint of Mettray, and all the hard labour (for they do labour very hard; they labour in summer 10 hours a day, exclusive of the time which is given to instruction).—In my opinion it is quite erroneous to fear that they will look with pleasure to the endurance of a discipline of that kind, in the hope of some good accruing to them at the end of that period. Now, what is the good that is to accrue to them? Is it one that seems acceptable to a criminal immersed in criminality? Is an honest, steady, regular life of labour their *beau ideal* of happiness? On the contrary, it is in truth luxury, debauchery, indolence, the being free to follow their own will. That is what is happiness to them, and therefore I do not think that a reformatory discipline holds out any premium to crime. Permit me to follow this train of argument to its legitimate conclusion. Is any one prepared to withhold from the criminal the highest of all boons, religious teaching and exhortation, lest repentance and reformation, by relieving him from despair as to his condition in a future state, should, in the minds of his guilty comrades who hear of his conversion, take away one of the motives to avoid crime, namely, the fear of eternal perdition? Do not we all feel that although his crime has, by compulsorily bringing the criminal under the ministry of a pious clergyman, been the means of his obtaining a blessing, as compared with which all earthly good is trivial to the last degree, yet, that such a consequence offers no dangerous example to his friends, because the state of mind of a repentant and reformed criminal is the

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very last which they desire for themselves? Surely, in considering the best treatment for criminals, whether old or young, we need not be under alarm in conferring benefits upon them, unless they are of a kind to become objects of desire to the guilty mind, and of a nature to encourage the criminal to persevere in guilty courses in order to acquire them.

438. What is the system of discipline adopted at Mettray; will you be good enough to describe it to the Committee?—The system of discipline there has for its principle kindness, as distinguished from indulgence; the boys are treated with great affection of manner, and their masters and teachers exhibit, as they truly feel, great interest in them; but they exact a very strict obedience, and a very large amount of labour, and this is enforced partly by rewards and partly by punishments. The principal reward is the inscription of the name of the colonist, as he is called, upon the tablet of honour. Any lad who observes all the rules of the institution, and commits no fault for the space of three months, has his name inscribed upon this tablet, and this is an incentive peculiarly adapted to the French character, as the Committee will feel, but not ill-adapted to the character of any nation. This inscription is liable to be erased upon the commission of an offence, and then another three months must elapse before it can by possibility be restored. There is a table given of the number who have their names, and the length of time for which they have had their names, on this tablet of honour, and some of them have had their names there for five or six years, so that the motive seems to be one of very great strength. Punishment there is first by admonition by the Roman-catholic priest, who is the chaplain of the institution, or by M. De Metz himself, and when by him, it seems to have very great power. He seems to be one of those persons gifted with the highest influence over the minds of others, and especially of the young; but if admonition fail, then they have recourse to short imprisonments, to solitary imprisonment for a short time, but supplying the boy with labour, such as breaking stones or sawing logs of wood for fire. This is accompanied with admonition and persuasion; he is visited very frequently, and strenuous exertions are made for the purpose of affecting his mind. If all means fail he is then sent back to prison, and that is a very solemn ceremony. This had only occurred twice, I think, during the whole of the year 1847. It has sometimes occurred two or three times in the course of the year. The *gendarmerie* is sent for from the prison, a solemn assembly is held of all the colonists, and a sentence of expulsion and reclusion is passed upon the culprit; he is then stripped of his dress as a colonist, clothed in the dress of a convict, and taken back to prison: a ceremony which it will be readily believed must have a very great effect upon the boys. It is found that even those who are sent to prison are very often ultimately reclaimed by the hold which the system has taken upon their minds, although it failed for a time; and with respect to the *récidives*, I should mention that out of the number of 59 there was a very large proportion who were ultimately reclaimed and became respectable. There was one instance which showed that even where no cure could be effected, still the mind was operated upon to a very considerable extent. There was one lad who had a mania for theft, as we have known some persons in this country who steal without any apparent object or temptation, and he showed that disposition to such an extent that he managed to steal even in the cell where he was solitarily confined, and where there was very little indeed to be stolen; but, however, he managed to steal even there. It was a monomania. He was sent back to prison. He was the son of a nobleman of Bretagne who had fallen into poverty, which he bore very honourably. He cultivated by his own labour the last of his paternal acres which had been in his family for a long series of years, and the old man, when he heard that his son was convicted, hung down his head and never looked up again. When the reclusion took place, a relative wrote to the lad to say, "Your father has never held up his head since your conviction." The lad read the letter, took it to heart, pined away, and died; showing that although from circumstances he could not be reclaimed from this passion for theft, yet that he was not insensible to the obligations of morals and religion.

439. Is corporal punishment resorted to at Mettray?—I think it is sometimes, but very rarely; I am not quite sure, but I know that, if it is at all, it is very rarely.

440. How would you describe the diet there generally?—The diet is that of the neighbouring peasantry of Touraine, and all who are acquainted with the habits

habits of life of the French peasantry know that it is not a generous diet; but their food has the advantage of being prepared by very excellent and skilful cooks, ladies, the Sisters of Charity, of whom there are several resident in the institution, and who take upon themselves the management of the kitchen and of the hospital. I went into the hospital to see some children there who were evidently suffering pain, but who still were soothed by the kindness and the society of these ladies, who used the hospital as their sitting room, and who were sewing and reading there. All was in a state of great cleanliness and comfort.

441. In what manner are these children supplied to Mettray; from what source do they come?—They are supplied indifferently from all the prisons of France; they are supplied in this way: generally M. De Metz himself goes to a prison and selects a certain number of youths. He says that he is guided in that selection a good deal by the state of the physical health: that he thinks it right to take those who are evidently suffering in their health from imprisonment, and the consequence has been that in seven or eight instances these children have never got further than the hospital, have never entered the school at all, but have died in the hospital; but they are chosen by him (and that is a fact which I ought in candour to state when I speak of the high proportion of reclamations); because it is not to be supposed that he takes those who, as far as he can judge, would be objects upon whom the system would be likely to fail.

442. The education, I suppose, is in a great measure industrial?—The education is, in a very great measure, industrial, and the time for direct instruction is very small indeed; and yet the progress made is very considerable.

443. What kind of instruction is given?—They learn reading, writing, arithmetic, geography; and the major part of them being employed in agriculture, they have, I believe, some little scientific knowledge upon that subject conveyed to them; and they learn music.

444. What number of children did you find there upon the occasion of your visit?—I forget what was the number I found, but it was less than the number which is stated in the last report of the institution, which is 550.

445. Is that the maximum number?—The number has been gradually increasing from year to year. That was the number attained on the 1st January 1851.

446. Of what does the staff of the establishment consist?—The staff of the establishment is, putting the pupils on one side, and the teachers and workmen-teachers (for each trade has its teacher; shoemakers have a teacher, and so forth), and also the ladies of charity, on the other, I found that the proportion was five pupils to one teacher; that is, calling servants, and all but pupils, by the name of teachers. All the attendants, all the staff, so to speak of the establishment, bore the proportion of one to five, which I mentioned to Mr. De Metz was a very high proportion; and he defended it by saying that it was quite necessary to have a very potent machinery operating upon these poor misguided creatures. The plan of teachers really demands a word. Mr. De Metz and the Marquis De Bretignolles, before they took a single colonist or pupil, established a school for the training of teachers, where they received a very good education. I had the pleasure of conversing with several of them, and a more zealous and right-minded set of young men I never encountered in my life; men of whom it would be more agreeable to make companions, and from whom you might be certain of learning something. These young men were attached to the institution, which had been in existence for some years before as a training school for teachers, before the founders ventured to introduce the young criminals.

447. Of what class of life were they?—They were chosen from a second or third class of tradesmen in the neighbouring towns; the city of Tours in particular.

448. Do the ladies and Sisters of Charity and Mercy receive any salaries at all?—I suppose they are maintained while they are there, but I do not know. I think they belong to a distinct foundation of their own, and are sent by their superiors.

449. Is the monitorial system introduced; do they avail themselves of the knowledge of some of the pupils to teach others?—I dare say they do, but I cannot speak accurately to that. The institution of the *frères aînés*, which I described, is of the nature of a monitorial institution.

450. How are the expenses of Mettray defrayed?—The expenses are defrayed partly by voluntary contributions, as I have already mentioned, and partly by contributions from the various departments of France, such as choose to subscribe.

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scribe. You are aware, that in France there are departmental revenues which are administered by the council of the department, and from these revenues contributions are made to Mettray and to sudsidiary Mettrays, if I may so speak, which have sprung up in various parts of France. The central government also has contributed. The president, Louis Napoleon, visited the institution a short time ago, and spent an hour and a half there in examining it, and made them a contribution. Then they cultivate a large extent of land.

451. Do you know what extent of land?—The number of acres is mentioned in the report; I should think 70 or 80 acres, judging from my eye, and there are outlying farms. They send a detachment of lads, loaded with their hammocks, under the care of a sub-master, and of an elder brother, to one of these farms; they sleep in their hammocks in the barn, and they cultivate the farm, and in many instances a company of these lads have been let out to a farmer to cultivate his farm for two or three months, and with great success. They are very useful in the neighbourhood as a sort of fire police. They have a fire brigade and engines, and upon several occasions they have shown that they know how to use those engines. Such as have a greater aptitude for manufactures than for agriculture are tailors, or carpenters, or bricklayers. Many of the buildings at Mettray have been erected by the colonists, and they also manufacture articles for sale, which is a productive source of revenue. M. De Metz told me, that had it not been for the Revolution of 1848 they should have that year made a gain of 1,000*l.* from the sale of articles manufactured by the lads; but the provisional government of 1848 took a certain politico-economical view of the subject, and resolved that the sale of these articles interfered with the workmen in the neighbourhood, and prohibited the sale altogether. I believe that prohibition has been now taken off, but of that I am not quite certain.

452. Had you the means of seeing the way in which they kept their accounts, and of judging whether it was pretty satisfactory?—I spent hours in their accounting office.

453. What was the result of your observation?—I came to the conclusion, that the results which they gave were correct from the materials I had for testing them; and that the gross expense per head was 20 *l.* a year; but then I must inform the Committee how that gross amount was arrived at. It was the whole expense of the establishment, teachers and servants and all, divided among the number of pupils. It was not that each pupil ate and drank to the amount of 20 *l.*, or that his clothing and lodging added to what he ate and drank would amount to 20 *l.*, but that the whole expense of the establishment, when divided by the whole number of pupils, gave 20 *l.*; and I have not even yet given the whole data, because there is a very admirable department of this institution which I must explain here, as it bears upon this part of the subject. Every colonist who leaves Mettray with a good character has the privilege conferred upon him of coming back to Mettray when he is under any misfortune; when he loses his employment, when he falls ill, when, in fact, he is subjected to any calamity, which is not the immediate consequence of his own misconduct; and the youths very often avail themselves of that privilege, and are kindly received. The expense of these guests also is cast upon the pupils in the accounts, so that the whole expenses of the establishment and of the pupils, added together, come to 20 *l.* a head, but this 20 *l.* gross expense is by the average productive labour of the colonists reduced to 12 *l.*, the direct average productive value of the labour being 8 *l.*; so that the expense per annum is 12 *l.*

454. What is about the average number of guests?—I am afraid I am not able to answer that question. I dare say it may be indicated in the book of M. Cochin, which I shall beg permission to leave with the Committee.

455. Mr. *Milnes.*] Have you, from any recent information which you have received from Mettray, reason to believe that inconvenience has occurred to the establishment from the number of guests who have come there?—No, I do not think so. It is possible, but the report will show that. We all know that France has been in a very disturbed state, and want of employment may have driven a greater number back than heretofore; but I only received the last report of M. Cochin yesterday, and I have not had time to make myself fully master of it.

456. Mr. *Miles.*] Having looked as you have, so minutely as you state you have, into these different establishments, have you determined upon what course you would recommend to be adopted; first, with respect to the Penal Schools;

upon

upon a careful revision of all the systems, which would you advise the Government to adopt?—Perhaps, if I were a prudent man, I should recoil from such a responsibility; but, however, I will do my best to answer the question, confining myself to principles, and not going into details. I am so strongly impressed with the difficulty of finding, on the sudden, masters and mistresses capable of carrying reformatory treatment into successful practice, that I am not prepared to recommend that there should be an attempt to spread a net-work of reformatory schools throughout the country *per saltum*. And again, believing that for this very difficult task of reforming the whole constitution of the individual, and reversing his aspirations from evil to good, it is only by a lucky accident when a mere official system is found to work well in any particular instance, I am very much inclined humbly to suggest that there should be a very large infusion of the voluntary principle in these establishments; and I will explain what I mean: that if a number of benevolent persons, whose zeal and devotion to the subject is sufficient to induce them to give some portion of their money and a large portion of their time to such an establishment, I should say, let them found the establishment; that is to say, make all the preparations which can be made without the outlay of money for the school; and then I should desire that from some public fund, raised either by local tax or by general tax, as might be found upon consideration most expedient, liberal sums should be allowed for the foundation of the school in the first instance, and for its maintenance from year to year; the government of the school being in the hands of the class of persons whom I have indicated, who should test their sincerity by the contribution of some prescribed sum each of them annually, as the qualification for being a governor; that the whole expenditure, whether of the public money, or of these private contributions, should be open to the rigid inspection of a Government inspector, and that there should be ample power reserved to the Government, if the general taxation of the country is the fund employed, or to local bodies, like the magistracy of a county, or the town council of the borough, if local taxation be the source, to withhold the supplies, if in their opinion they are inefficiently administered, or still more, if there is any malversation. I know that in this scheme there may be difficulties; I can only say that, having given a very careful attention to the subject, this is the best plan, and the freest from difficulty, which I can devise, and the most likely to be carried into effect with heart and spirit, without which I am quite sure that nothing can be done. I am informed that the Union Schools of the country are in a state of improvement; I am very happy to learn it, because I think the Right honourable Chairman of this Committee will agree with me that there is room for improvement. I know that in individual, I am afraid I must call them, exceptional instances, these schools have been nearly all that can be wished. I will mention that which has had the advantage of the very zealous and able supervision of my friend Mr. Whitmore, of Dudmaston Hall; the school of Quatt, near Bridgenorth, and there is one, I believe, at Norwood, which is admirably managed. I suppose there are more, but I will candidly and openly say, that I have not been favourably impressed by the experience of the Poor Law Union Schools, with the power of what I call a mere official system to accomplish the great and difficult ends in view; and hence it is I have been led to suggest the infusion of the voluntary principle.

457. In these Penal Schools you would place convicted children, would you not?—Yes; but the Committee will recollect, I proposed to give an enabling power, not a compulsory power, to judges and magistrates to send young convicts, say under 16 or 14 years of age, to these reformatories in lieu of sending them to prison pursuant to their sentence, as is now done.

458. At present, they immediately become convicts, and the expenses incurred for these convicts are paid for by the Government?—Yes, they are.

459. And in the description of school you propose, there would be three more drafts upon the benevolence of the public, supposing they would have to be carried on at all by voluntary contributions?—Exactly so.

460. Then, do you not think it possible to leave these Penal Schools exactly where we find them, namely, that directly these children become convicts, that the Government should take care of them, feed them, and educate them themselves?—I see no injustice in that view at all, and it would be very conformable with what now is; but my objection is, that I want the infusion of the voluntary principle, which, leaving the matter altogether to the Government would not

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provide for; and the private contributions, I consider, are only important with a view of furnishing a test, a criterion, that he who aspires to be a governor is really in earnest, and will show that earnestness by some sacrifice of money as well as time. I think such a stipulation would be necessary to keep out busy-bodies, and still more necessary to keep out jobbers, who find their way into almost every thing now-a-days.

461. But would there not be a difficulty if Government was to take a part of the responsibility, and private individuals another part; would there not be a chance of clashing?—I think not; because the responsibility is exactly defined. The responsibility is this: you provide the funds; and as long as you are satisfied that such funds are efficiently administered to do good, you will continue to provide them; but if you are dissatisfied you withdraw them, and the consequence would then be that, in that particular district, if there were no contemporaneous school founded by other benevolent persons, the young people would be no worse off, nor better off, than they are now.

462. You feel naturally a repugnance, owing to the want of proper reformatory school masters to spread this system throughout the country?—Suddenly.

463. But I suppose you would like to have five or six schools in different parts of the country?—I should be most happy to see a department added for the whole, if not for each of them, to train these teachers, whom I have seen myself to be of such inestimable value at Mettray.

464. Do you think there will be any objection, supposing the plan were adopted, to take the circuits of the judges, dividing the country into districts, and in each of those districts having a large reformatory penal school of this description?—No.

465. Would not that be the commencement, in your opinion, of a very good work?—Yes, very excellent; but whether it would be the best that could be devised I will not say at the moment, because it is a matter to which I have not directed much of my attention.

466. Now, with respect to your second class, namely, the Industrial Feeding Schools, with compulsory attendance; that is intended, in a certain way, for older children, is it not?—Yes; it is intended for those children who have come under the animadversion of the law; but with reference to slight offences, and to offences not involving dishonesty.

467. Would you not find great difficulty in making their attendance compulsory?—I am perfectly aware that it would be difficult, but I do not think it would be impossible, and I think that the object is so important that the attempt ought to be made.

468. I suppose you would start these schools in different localities, would you not?—Yes.

469. Does it not strike you, that, where there is no rural police there would be the greatest difficulty in the world in enforcing this compulsory attendance?—The difficulties would be very much increased by the want of police; and if those difficulties should create an additional motive for establishing a police in rural districts, I think a benefit would follow from the existence of such difficulties.

470. You intend, as I understand, to make the parents, if a child has parents, pay for part of its education?—I think that justice demands that all that the public lays out upon the child should, if the parent be able, be repaid by the parent; and if he is unable to pay the whole, then such proportion as the magistrate shall determine he is able to pay.

471. Are not the generality of the parents of these children persons of improvident and dissolute habits?—Very much so.

472. Then does it not strike you that there would be very great difficulty in carrying the law into effect on that account?—Yes; there would be a difficulty just as there is in carrying the law of bastardy into effect; but I have already had the honour of stating that I look to the enforcement of this payment not so much as a prolific source of profit as the vindication of a great principle, which is, that no man shall be a gainer by his own misconduct; and also in order to furnish a strong motive with the parent to take care that his child is sent to school, and thus not wander about and commit the trespasses, for which he would be sent to the school of the second class.

473. As far as the parents are concerned, in order to carry the law into effect, penal

penal consequences would follow the non-payment?—Just as in the case of bastardy, when payment of the allowance is not made.

474. That would be introducing a perfectly new principle, would it not?—No, I think it is a mere extension of a principle already in action to a case which is very similar. The one has brought a burthen upon the parish by his misconduct. The parent of the legitimate child, who suffers him to run wild, has brought another burthen upon the parish; and it appears to me that the cases are very analogous, and that the same machinery may be readily adapted to both. The leaving a family chargeable is also visited with penal consequences.

475. But the law has never yet recognized that if a parent leaves a child without learning, he shall be subject to penal consequences?—Nor does my proposal take exactly that form; it takes this form, that he is mulcted not because he leaves his child without schooling, but because he suffers him to run wild. I would not have the law to interfere, if a man keeps his children at home, whether he teaches them or not; it would not be for the law, with a strong hand, to go into his house to make such an investigation; but if he suffers his child to run wild in the streets, and the child then commits an offence already known to the law, I do not see myself the injustice of making the parent pay. He has neglected his moral duty towards the child; and I do not see why, as that neglect brings a burthen upon society, he may not just as much pay as if he had neglected the duty of maintaining the child altogether, and brought himself under the law which is directed against those who leave their children and families chargeable to the parish; but you are quite right in this, that it is a new law; and without legislative aid the good which I anticipate to follow from the system could not be accomplished. There must be changes in law, and if this plan, which I have now laid before the Committee, is to be condemned, because it implies changes in the law, why there certainly is an end of the matter, because it cannot be carried into effect *rebus sic stantibus*.

476. But still, looking to the children that would come under the second class of schools, may it not happen that the parent may have given them some education, and the children themselves forming criminal habits, may it not be from innate vice that crime may occur, and not from the total neglect of the children?—Yes, but still I think the administration of the law by magistrates who know all the circumstances, and who live near the spot, would insure against any great harshness upon the particular individuals. If the parent showed that he had done all that he could, why then the magistrate would not make an order upon him, supposing he was not able to bear it. These are not self-acting laws, but they are to be put in execution by gentlemen who know the habits of the poor, and who know what they can do and what they cannot, and who are not in the habit of acting harshly.

477. I now come to the Free Industrial Schools; this would be the system, I suppose, carried out upon a larger scale of what we now call the Ragged Schools?—Exactly so. I have avoided that term; I never use it voluntarily; I call them Free Industrial Schools. I mean very much the same as are now called Ragged Schools.

478. That would include the same class of subjects that go there?—Yes, exactly so.

479. Have you paid very much attention to the working of those Ragged Schools?—Not for a very long time; but I have since I left the bar, and have had more leisure, especially in the city of Bristol.

480. What is your opinion of the system of those Ragged Schools, in respect of their preventing crime?—I think they do quite as much as can reasonably be expected, considering the difficulties with which they are surrounded; the want of a public fund, the pressure with which they bear upon private benevolence, and the utter destitution of all compulsory powers. The difficulty which those benevolent persons who take charge of such schools labour under is, to bring children within the working of the system, to keep them long enough to enable the system to exercise its powers over them; and they have no compulsory means.

481. You are aware that in the city of Bristol they have now adopted a central school, in which a choice is made of the best of the pupils from different divisions?—Yes.

482. Are you at all aware that that has led to a great decrease in crime, as far as the children are concerned?—I am not cognizant of the operation of it.

483. Are you aware, since a central ragged school has been established in Bristol,

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Bristol, in which the best children of the different ragged schools are admitted and fed, that the committals and re-committals from the whole of the ragged schools under education have very much diminished?—I am not personally acquainted with the fact, though I now understand from the Honourable Member for Somerset that it is so; and I am not surprised that it should be so after the experience of the Aberdeen schools.

484. Having gone through the three different classes of schools, I would ask you, supposing something should be done to give a greater degree of education to these criminal children, whether, in your opinion, it would not be better to call for private benevolence only to assist the two first classes, and to leave the penal schools to the care of Government?—I am inclined to think that, without these pecuniary private contributions, you can have no test for the fitness of those who put themselves forward for the duty of superintendents; and I am further of opinion that mere official superintendence is not so likely to produce good effects, as where there is what I have called an infusion of the voluntary principle; and I am led to believe so, because when I call to mind all the existing establishments at home or abroad, which have been eminently successful, I find that that infusion largely prevails. At Mettray we have the noble-hearted founder, who has immortalized himself by his exertions. The very curious institution of the Rauhe House, near Hamburgh, is one which depends upon the voluntary principle. The Redhill Farm of the Philanthropic Institution, as we all know, is largely indebted to the voluntary principle; and it was those who acted upon that principle who found out the merits of Mr. Sidney Turner, and appointed him to the very responsible office which he so well fills. Then again, Stretton-on-Dunsmore is altogether under the action of the voluntary principle. The schools at Aberdeen are altogether under the action of the voluntary principle, and so are these schools at Bristol, respecting which the Honourable Member who is now examining me has given such very encouraging testimony.

485. But in order to carry out this system, even taking it at the lowest sum given, namely, 12 *l.* a head at Mettray, would you not be calling for a very high contribution from a charitable public, when I see, by a return which I hold in my hand, that the number of juvenile criminals alone in 1849 amounted to 6,582, and in 1850 to 7,070?—Yes; but the Honourable Member will do me the favour to recollect, that I never held out such contributions as being the main or any important source of the funds. I consider the private contributions to be useful in another way, as a test of qualification; that the would-be governor is not an idle person who wants to see his name in the newspaper, and to exercise some power, and still less a jobber, who thinks he may serve some relative by getting a contract for him; but a person so much in earnest in the cause he has taken up, that not only will he give his time, but make some sacrifice of money; doubtless the main support must be from a public fund, either local or general. Then, if the Honourable Member will allow me, though, perhaps, it is not quite necessary, yet I should desire this opportunity of saying why I think it is important, that the State should take upon itself at a very early period this expense. It is quite clear, that every person who does not maintain himself, and is not maintained by his relatives or from private sources, must be in some way or other maintained by the public. Now, if he is in a course of crime, it is quite true that he is not maintained out of any public fund raised by taxation, and thence he is sometimes unconsciously assumed to have cost no expense on the public; whereas if he commit his three or six offences per diem, stealing, we will say, half-a-dozen pocket-handkerchiefs, which are worth, to their respective owners, a couple of shillings each; he thus steals property worth 12*s.*; it is true he does not get 12 *s.* for it; he takes it to the receiver, who probably gives him 3 *s.*; therefore 9 *s.* are lost in the operation; nay, worse than lost, because they go to the maintenance of another, and the very worst of all the classes of depredators, the receiver of stolen goods. In that way, to maintain himself even poorly, he must take from the public a very large amount of property; and though this does not appear in any statistical table, it is not the less felt by the public at large, nor is it the less felt because the pressure is unequal; one man is dreadfully taxed, perhaps half ruined by a robbery, while his neighbour goes free. That is not a happy state of things. Well, then, our present system gives a practical impunity for a long though uncertain period; at last, when the criminal is confirmed in crime, he is prosecuted two, or three, or half-a-dozen times, and it ends by his being transported. What will become of him now,

now, when he is sentenced to be transported, is more than I can predict; I suppose he will after a time be turned loose upon society once more, and you will probably have to run this gauntlet again. If we look at it as a mere question of pounds, shillings and pence, it is quite clear that it is the most expensive mode of treating criminals. A prison must be under mismanagement indeed, if it is not much less costly to maintain a prisoner there, and dole out to him his rations by the hands of a gaoler, than to allow him to rove about the country and help himself. When you have him in gaol, you cut off the larger source of his expenses; all his coarse luxuries are gone; he has no beer, no tobacco, he has no supply of any of the means of debauchery. You ought to give him the coarsest food, sufficient to maintain him in health; you ought to give him the coarsest clothing also, and you should do the best to obtain from him in return some productive labour towards contributing to his own support.

486. I understood you in a former part of your evidence to state, that the fear of going to gaol scarcely operated at all amongst juvenile delinquents, because there they found they were well lodged and well fed. Do you think, as compared with the diet given in the poor-houses in England, that the gaol allowance, unless a person is at hard labour, is too large?—From all the information I can obtain, it is so beyond all doubt, and the mischiefs that flow from that, which I conceive an error, are very great indeed. I remember some 20 years ago this was the state of things: there were three classes of persons; there was the soldier who kept guard over the convict, there was the convict, and there was the pauper. Now, one would say, according to natural justice, the soldier, who was in the execution of his duty, and a member of an honourable profession, should have the best diet; the pauper, who is to be considered by law, at least, as the victim of misfortune, should have the second best; and the convict, who is in prison in consequence of his own crime, should have the worst diet. That order was exactly reversed; the convict had the best diet, the pauper the second best, and the soldier had the worst. A convict has been heard to say, when some little diminution in his rations was made, "We shall be treated as bad as soldiers by-and-by!" The moral effect of all this is very mischievous indeed. I am clearly of opinion that no more ought to be given than is absolutely necessary for health, unless as payment for extra labour. I have found myself, that the mischief of the present administration of diet took this form: we know that prison diet is given in different proportions, according to the length of imprisonment; that a lad who is in prison for a month has a less quantity of food per diem than if he was sentenced to imprisonment for twelve months; and a curious illustration occurred at Birmingham some time ago; it was an illustration which happened to fall upon an adult, but it is not the less apt illustration of the principle because it applies to an adult. It was this; there was an idle fellow, who was in the habit of getting into a railway carriage upon the North Western line, and travelling as far as he chose, as far as was pleasant for a morning drive. When he was asked for his ticket, he said he had none; when he was asked for the fare, he said he had no money; upon which he was taken before a magistrate, and was summarily convicted, and sentenced to so many weeks' imprisonment. The moment he was out of gaol, he got into another railway carriage, and repeated this transgression, and did it advisedly; but at last the railway inspector said, "I believe this will go on for ever; this is the course of life which he has chalked out for himself; and as he has always hitherto had a sentence (I think) of six weeks' imprisonment," says the inspector, "this time let him have a fortnight, when he will be put on a lower diet." The hint was taken; the magistrate sentenced the man to a fortnight's imprisonment, upon which he burst out into a violent rage, and said he had been very much ill-treated; that he had always had six weeks before, that he had done the same thing now for which he had had six weeks upon a previous occasion, and that he was entitled to six weeks. The diet, he said, allotted to imprisonment for a fortnight was not what he had bargained for, and he could not put up with it. A person in a judicial position, when he is administering punishment, really does not know but that when he lengthens the term of imprisonment in proportion to the magnitude of the offence, he may be playing into the hands of the prisoner. It is alleged in support of this regulation, that a long imprisonment exhausts the strength, and demands a better supply of food than a short one. Let this be admitted, for the sake of argument, and even then, can it be necessary that the greater offender should start with an advatage over him who is less guilty?

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guilty? Two prisoners are tried together. It turns out that the elder, hardened in crime, has seduced the younger; the sentences discriminate between the two: the elder has a long imprisonment, the younger a short one. They leave the bar, and go to dinner; and as the present is all in all with the criminal class, you may be sure the younger, who has the bad dinner, regrets his comparative innocence, and resolves next time to be fully qualified for a better meal. I have consulted some of the most eminent medical men in the country, more than one of whom has had a practical and official acquaintance with the working of the dietary, and they all concur in dissenting from it. But surely, if necessary, it cannot be so in its present form. If A. is sentenced to 12 months' imprisonment, and B. to six months, why cannot they proceed *pari passu* until the expiration of B.'s term? Can it be necessary to feed up A. from the first day? If you gave B. enough for health, A. would upon the same rations be in health when B. was liberated; and then it would be time enough to begin the indulgence. The Committee will excuse my dwelling on this point. The moral injury to criminals wrought by the regulation, as now acted upon, is incalculable.

487. Sir *W. Jolliffe.*] And therefore, upon the supposition that a high state of nutriment may be an inducement rather than otherwise to crime, you would take care, in any of the classes which you have designated, where it was necessary, as it will probably be in the second class of schools, that the diet afforded there should be such as should not induce, at all events, to a desire either on the part of the children or their parents, to send them to those schools?—I would keep the diet very moderate indeed. The dietary with which I am best acquainted is that of the Industrial School at Birmingham; and Mr. Yorke told me that there it cost 7½*d.* a week per head.

488. Mr. *Tufnell.*] Are you aware that in Edinburgh they give three meals a day at 1½*d.*?—I do not know that.

489. Sir *W. Jolliffe.*] You have expressed a very strong opinion that none of these ameliorations which you have chalked out would be likely to lead offenders into a course of crime in order to enjoy those institutions?—Yes.

490. I think you say, that the amelioration of their condition would not produce crime; that a life of industry and respectability is no inducement?—Yes.

491. Do you not think that those inducements might act very strongly upon the parents of the children to get them introduced to these institutions?—No; I think it is almost a contradiction to suppose that a parent who has the permanent happiness of his child at heart, which the question implies, should be induced to make him commence his career under the stigma of a crime; but in order to guard against the possibility of such inducement, the Honourable Member will recollect, that it is provided that stringent means be taken to make the expense fall upon the parent.

492. What is the particular provision that you think should be enacted in the law to make a parent liable in this case, the same as the parent of an illegitimate child is liable to the State for the maintenance and the care of that child, in such condition as the State shall think proper?—The Honourable Member is aware what is the process in a case of bastardy. There is an information laid before a magistrate; he hears both parties, and then he makes an order upon the putative father to pay a certain sum per week. If the order is disobeyed, the magistrate issues a warrant of apprehension, and the putative father is committed to prison. That machinery seems to me to be adapted to the end in view.

493. And a machinery analogous to that you would have put in action by the magistrate against any father or mother who ought to have the care of that child upon its committing a crime against the community?—Yes, certainly.

494. That is the view that you take of it?—Yes, on the conviction of the child.

495. You think that a law analogous to that in the case of bastardy should at once take effect against the parties who had, by neglect or want of supervision, induced to that crime?—That is my view.

496. The magistrate in that case must have the power also of committing the child to the care of the State, or to the care of a district or local board of instruction, must he not?—If the offence were one of a minor description, not involving dishonesty, then all that I have contemplated is, that means should be taken to insure his attendance at the school of the second class. If he is convicted of a crime involving dishonesty, whether felony or misdemeanor, then I have contemplated that he is to be, if the judge so directs, committed to a reformatory school, which

which one of the Honourable Members called a penal school, that is, the boarding school; but that is only to be an enabling power, and not to take from the judge or the magistrate the power of committing him to prison as now, in cases in which he thinks fit to do so.

497. Then the conviction would be a double conviction, as it were?—A conviction with a double aspect.

498. It would cast some sort of penalty upon the father, and it would oblige the child to such a detention in a reformatory establishment, as in the view of the judge or the magistrate, or whoever tried the case, should be thought adequate to the offence?—No; and I am very happy to have the opportunity of explaining. If the judge or magistrate commits the young person to prison, as the law now is, he would act upon the received principles of retributive punishment, and measure, as well as he could, the offence and the punishment, so as to give a slight punishment to a slight offence, and a heavier punishment to a heavier offence. But if he sentenced him to a reformatory school, it would be with a different object; it would not be to inflict a punishment "adequate to the offence;" it would be to insure his reformation and cure; and therefore the detention must be for such a time as would probably be sufficient, in the judgment of those who understood the subject, to insure the successful operation of reformatory treatment upon the child; that is to say, in other words, to work out his cure. So that (in order to illustrate the plan) suppose a boy had picked a pocket, and that, as the law now stands, the judge would sentence him to three months' imprisonment; as three months would be a very inadequate time for working the reformation, I should expect that the judge would apportion a very much longer period to the work of reformation; it would be a kindness to the young person that it should be done, because nothing could be more cruel to him than to send him out of his moral hospital half cured.

499. What, in your opinion, is the shortest period that a pickpocket should be kept at the reformatory school?—I should not form my judgment simply from the particular offence, but I should make inquiries into the habits of life of the boy and of his parents, and try to ascertain whether he was or was not confirmed, and, as we call it, hardened in the commission of crime. If I found he were, I should consider a much longer period necessary; if not, a shorter period. But each case must be judged of by its own circumstances, and I could not speculatively say whether it should be 12 months, 18 months, or two years, only that it must be much longer than three months.

500. You think that the reformatory system would not have much effect upon a boy who had been led into crime in this way, under 12 months, on an average?—Probably not.

501. Have you contemplated that during that twelvemonth the expense whatever it should be, would be thrown upon the father or the mother?—Yes.

502. And that, however they may or not be instigatory to the offence, still it would be not in accordance with the crime committed, but in accordance with the view the magistrate took as to the reforming of the child, that the mulct of the money necessarily would fall upon them?—Yes; and there is no injustice, I think, in this, when the Honourable Member recollects that the law would be really only enforcing a burthen which, if the parent did his duty, he would continue to discharge without compulsion; for, supposing that the child were sentenced to three months' imprisonment, and then came out, who, if all did their duty, would have to maintain him? The parent. Then I only make the parent maintain him while he is under detention, which he (the parent) must have done if the child had remained innocent. And I think he would be maintained more cheaply in the House of Detention than at home. Unfortunately, there are no worse economists than the dissolute poor.

503. Mr. *C. Legh.*] You think, I believe, that no boy should be detained less than a year?—I was rather unwilling to mention time, because, as I have already said, everything must depend upon circumstances, and upon that experience which I have not. We have not sufficient experience of reformatory schools to know what is the minimum time.

504. Probably you would think it necessary that a pickpocket should be detained for a much longer period?—Wherever it was perceived that a person was so little under restraint of either law or morals as to commit what is really a very grave offence, I should think it not likely that a course of reformatory treatment of less than 12 months would be sufficient to assure society that he

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was reformed. Picking pockets was formerly a capital crime, and within the present century execution has followed, even upon boys.

505. With regard to the length of time, would you leave it to the discretion of the magistrate or judge whether the boy should go to prison, or be sent to a reformatory school?—I do not propose, because I feel how desirable it is to make as few changes in the law as possible, to make it imperative upon the judge to take this course.

506. Would it not require considerable change in the law to enable the magistrate or judge to detain a child as long as you propose?—It would require a great change in the law, but the change would not be so great as if it were imperative upon the judge. The judge may abide by the law as it at present stands; so that the new process would be tentative; it would be tried as by way of experiment. If it did not succeed, then the magistrate or judge would be loath to apply it, and gradually it would fall into desuetude.

507. What time do they keep offenders at Mettray?—They keep them only for the term of the sentence; and it has followed from that, that they have sometimes had to send out poor lads before they were 14 years of age, and under circumstances in which they, after a time, fell into the class of *récidives*, showing that reformation had not been completely wrought.

508. But in no instance do they detain them longer than the sentence?—No; they have no power to do that.

Martis, 18° *die Maii*, 1852.

MEMBERS PRESENT.

Mr. Baines.	Mr. Adderley.
Mr. Sidney Herbert.	Mr. Fitzroy.
Mr. Cornwall Legh.	Mr. Monsell.
Mr. Tufnell.	The Marquis of Blandford.
Mr. R. Palmer.	Mr. Cowper.
Mr. Monckton Milnes.	Sir W. Jolliffe.

THE RIGHT HON. M. T. BAINES, IN THE CHAIR.

Matthew Davenport Hill, Esq., called in; and further Examined.

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509. Mr. *C. Legh.*] I UNDERSTOOD you to say, when you were last examined, that you recommended that the child should be sent to the Reformatory School for not less than a year?—The Honourable Member is substantially right. What I intended to convey was this, that I thought it would be very improbable that an assured reformation could be wrought in less than a year; but that does not appear to me to be so material as perhaps it does to the Honourable Member, because I contemplate the power being used pretty freely on reformation, of disposing of young persons by apprenticeship, by finding them places, by sending them home to their parents where the parents are trustworthy, or before the expiration of their sentences; and I believe there would be many advantages in the sentence over-lapping, if I may so speak, in time the length necessary for reformation, in order to furnish a strong motive to a delinquent to work himself into freedom, instead of waiting till his liberty came back to him by efflux of time, according to the principle first laid down by Archbishop Whateley, and afterwards elaborated into a system by Captain Maconochie.

510. Then the sentence being for a short imprisonment, for instance, would you suggest that he should go to the Reformatory School for a year, or for as long time as is required for this reformation?—What I contemplate is that the judge is to be left at liberty either to give the short imprisonment upon the present retributive principle, or alternatively, in his own discretion, to sentence for a far longer period to a Reformatory School, and no injury could ensue from the longer sentence; because it would be well understood, (and the judge would inform the prisoner of the fact) that if he could, by good behaviour, convince those who

who had the management of the School, that he was reformed, they would take means to procure a remission of the remainder of his sentence.

511. Do you not think that such a power given to a judge must appear to the parents of a child objectionable; and in that case, do you think that it would be desirable that it should be imperative upon the judge to accept sureties from the parents in the first instance?—I think there are so many circumstances which a judge has to take into account, which cannot be prescribed, and can scarcely be foreseen, that unless a very large discretion is left to him, no criminal law will work well; and I am not much disposed to place great weight on the distress of the parents of criminal children, because in the vast majority of instances it is their own misconduct, or their own neglect of parental control, which forms the cause why the prisoner is at the bar.

512. For the practical working of the measure, supposing a child should be convicted of a slight offence, for which by the law of the land he would have a very slight punishment, and supposing in the discretion of the judge, he thought it better to send the child to this Reformatory School for a year, do you not think that that would operate in the mind of those parents as being a punishment longer than the child deserved?—Not if he were a well-considering parent, because the judge would make inquiry for the purpose of ascertaining whether the slightness of the offence was a true exponent of the state of morals of the child, or whether it was not by an accident that he was detected in a slight offence, he being embarked in a course of crime which would lead him to commit offences as great as he could, considering that the majority of the offences of those who are engaged in crime as a calling are offences against property, and the motive therefore being to commit as great an offence as the criminal has an opportunity of committing. It often happens that he is a prisoner for a very slight offence, but at the same time, it is perfectly well known that he is a hardened criminal, and that it is by a mere accident that the particular offence for which he is convicted, which is only one in hundreds of those which he has committed, is so slight, and it would consequently be illusory to measure the length of time required for his reformation by the slightness of the particular offence. I apprehend that the true measure of time required for reformation must be sought in the state of mind of the criminal.

513. Supposing it really to be a case where the sentence would be slight, the two points I wish to arrive at are, first, whether you do not think the parents would consider their children punished beyond what they ought to be by taking them away so long a time; and if so, whether you think that the proposal of insisting upon the sureties from the parents would obviate that difficulty?—I think the proposal of admitting sureties is a very valuable suggestion, but I should, with great deference, disapprove of it, if it were made imperative and not optional.

514. *Chairman.*] You mean optional in the magistrate to call for sureties?—Yes, I do.

515. Mr. *C. Legh.*] Then, if I understand you rightly, you would leave the matter of sureties optional with the magistrate, not imperative?—Yes; as giving a choice of means I consider it valuable; as diminishing the power of the judge or magistrate I consider it pernicious.

516. We have had it in evidence, that the system of what is called going "abroad," in case of good conduct, has induced the juvenile to be satisfied with his Reformatory School; do you agree in that opinion; do you think it would have any effect upon the young people, if the hope is held out to them that they will be allowed to go abroad from this Reformatory School, and not as convicts?—I should think that a valuable suggestion under the same limitation, that it was not imperative upon the judge or magistrate to hold out such expectation; he would try to ascertain whether it was likely to obtain for the boy, after reformation, a position in this country in which he would not be exposed to temptation. Doubtless, in the absence of such probability, it would be the best thing for the boy, the best thing for the parents, and the best thing for the community, that he should be enabled to leave the country; and I can well imagine a variety of circumstances, under which it would be a valuable power in the hands of the judge or magistrate, if he could authoritatively tell the boy that he would have that privilege. Will the Honourable Member allow me to call his attention to the report which I hold in my hand, of a speech which was made at laying the foundation stone of the Baltimore House of Refuge in October 1851, in which I find a short notice of the various houses of refuge or criminal schools in the various states of the union.

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517. Whose speech is it?—It is the speech of the Honourable Charles F. Maire; what office he filled I do not know, but he there says, that the average period of stay in these institutions in the United States is generally 18 months, when the inmates are either returned to parents or bound as apprentices. The statistics show, that at least three-fourths are redeemed, and become permanently respectable members of society.

518. Mr. *S. Herbert.*] Where is it?—The speaker is giving the general result of various houses of refuge for juvenile prisoners, established in the various states of the United States of America, and this has the greater importance and value, because many of those reformatories have been in action for a very long period. I have here instances: the 26th annual report of the Board of Managers of the Society for the reformation of Juvenile Delinquents of New York, and the 24th annual report of the Board of Managers of the State House of Refuge for Pennsylvania. I would add to that answer, that I find from looking at some of the reports, that the original sentences are for very long periods, and that in many cases, perhaps in all, but certainly in many, the power is entrusted to the managers or trustees of these houses of refuge to dismiss the boys, or to indenture them, or otherwise to dispose of them, upon being satisfied of their reformation. Now, the time of sentence (the greater number is during their minority) varies; some are for one year, some 18 months, some two years, some three years, and so on up to 10 years, but the general form of sentence seems to be "during their minority," and yet we find from Mr. Maire's speech that the average time is only 18 months.

519. Mr. *S. Herbert.*] Do you think it is fair to argue exclusively from the success of Reformatory Schools in America, which is a new country, and where all sort of labour is eagerly absorbed, whereas in this country the great difficulty is, after a boy has left a Reformatory School, being taken into service, he being once tainted with crime?—I should not think it safe to argue exclusively from reformatory discipline in the United States, nor have I done so; because I have called the attention of the Committee to the Reformatory at Mettray, where the reformations are far more than three-fourths, or 75 per cent.; in an old country, in which we know there is a great redundance of labour.

520. Is there not a great indifference to the fact of the persons in this prison having been irregular in life?—On the contrary, the French are extremely sensitive upon the subject. I must put a limit to the expression, "irregular in life;" there are irregularities of which the French think little, but theft is one which they hold in great horror.

521. Mr. *Tufnell.*] If I understand you, you are of opinion that the juvenile delinquents in this country, who have undergone reformatory discipline in this country, could make honest citizens again; you are of opinion that they could be drawn from the dangerous classes to what you have termed the class of true men?—The phrase "true men" was one which I used, citing it from our law books; and I do believe that not only it is possible, but that it has been done in a great variety of instances, under a great variety of systems in this country; and looking forwards, as I know many men do, who are far better able than I am to form an opinion upon the subject, to the present redundance of labour being by the operation of causes which are notoriously in action much reduced, leading in their minds to the probability of a deficit of labour, I think the difficulty of securing the permanent respectability of reformed juvenile offenders will every day become less and less.

522. You do not conceive that the natural inability which such delinquents have to resist temptation, will be such as to prevent them being thoroughly remedied in this country?—No; I called the attention of the Committee, on Friday last, to the result of an experiment of my own which has been carried on now for 10 years, the results of which have been carefully registered, and even when returning the young convicts to masters and parents living in the town where they have committed their offences, and where, therefore, they are in great danger of falling among their old companions and into their old habits, we find that certainly more than one-half are permanently reformed at the present time.

523. You stated that one of the causes of the increase of juvenile delinquency was the increase of population in the large towns of late; is it within your experience that the number of juvenile delinquencies in the towns has increased more in proportion than those in the country?—I quite admit that I ought to be able to answer the question, in order to form a trustworthy opinion, and yet I am not able to answer it; I am speaking rather from impression than otherwise, from

impression

impression created by somewhat extensive reading upon the subject; but I am not able to give that statistical fact.

524. Is it within your experience that juvenile criminals have generally an idea that theft is not an offence against any law except the law of the land?—As a general rule, I should say that they consider it a merit as measured by any other law than the law of the land.

525. They consider that if they offend the law and are caught, they atone for that offence, and that they are quits as regards crime generally?—They are very much in the habit of considering the retributive penalty which has hitherto been applied to crime in the nature of a purchase. They buy the right to commit the offence with the liability to the penalty; and when they have paid that penalty, they and society and their own consciences have arrived at a balance. That is their view.

526. Is that feeling to be attributed, according to your opinion, to a defective education?—A defective education has no doubt much to do with it, but I am inclined to attribute some blame to the law. I think it is almost a natural inference from retributive punishment that it should be considered in the nature of a purchase and sale; a false inference, I admit, but a natural inference, which none but a well-disciplined mind is very likely to escape.

527. You being under that impression, is it your experience that prison discipline, for a short or long period, has a tendency to harden any vicious propensity?—Certainly, it directs his mind to two great objects: to attaining the power of endurance, and to attaining the skill to avoid detection; but according to my experience, it does not impress the convict with remorse or with a feeling that it would be advisable in him to change his course, or when it does affect him for the moment with a desire to change his course of life, he finds himself in no position, for want of training, to act upon his new-born resolutions; he is generally met upon coming outside the doors of the prison by his old associates, who carry him off in triumph.

528. Then in your opinion the discipline of a prison prevents the effect of any reformatory punishment?—I think it does. For instance, I should think a boy would have a greater chance of being effectually wrought upon by reformatory discipline, who could be sent to that reformatory discipline at the shortest possible interval after his apprehension, and that even the imprisonment preparatory to trial is very likely to turn his mind into a course adverse to reformation; and I am of opinion, that all punishment which has for its object the infliction of pain, and thereby example to others and to the criminal, (apart from its being a portion of the discipline of reformation), is injurious, and an impediment to his cure.

529. In your opinion, is the description of the offence of which a boy is found guilty any index to the moral state of that boy?—I cannot say that it furnishes no guide at all, but it would be the most deceptive thing in the world if it were relied upon in punishment. Every person filling a judicial position finds it necessary to make a great number of collateral inquiries, the object of which is to know whether a boy is in a course of crime; whether he is one of those who has entered the lists of that large body who make crime their calling, profession, trade, or pursuit in life.

530. Would there not be a difference between a theft and a malicious injury, for instance?—There is a very substantial difference between a theft and any injury which is not to bring a pecuniary profit to the malefactor. Tried by the moral scale, it is quite clear that confining our attention to the particular act, it argues a worse moral state to commit an injury to the person or the property of another, which does not result in benefit to the malefactor, than it does to commit an injury as a means of obtaining a benefit for himself; but as regards society, it is much more necessary to repress injuries to property, which result in advantage to the malefactor, than injuries which do not result in advantage to him; because from one class of injuries he can make his livelihood, from the other class of injuries he cannot, and therefore the circumstances which lead him to commit them must be accidental and infrequent.

531. Then you would think that a boy who is convicted of one offence would be more likely to be reformed than a boy who was convicted of the other offence?—I think that a boy is more likely to be reformed the less he is implicated in crime as a calling and a profession; and looking at the two instances proposed by the Honourable Member, insulated from all other transactions of the criminal's life, I should certainly infer that it was more easy to reform him who had com-

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mitted the malicious offence, than him who had committed the gainful offence. At the same time, let me repeat that the particular acts themselves must always furnish a very inadequate foundation for a judgment upon the question.

532. Would you consider that a reformatory punishment should be apportioned to the age of the delinquent, or to the temptation to which the delinquent is exposed?—No, I think those circumstances, especially the latter, temptation, have not much to do with the matter. I think that the great question is not how the individual came into that state in which he is, but what is the existing state of his mind and morals; and if you find that, whether it is from one circumstance or another, he is in a state which demands reformation, the detention for the purposes of reformation should be measured by the probability of the cure being accomplished within the term prescribed.

533. I think you stated that your proposal would be, that where a juvenile delinquent was committed to one of these reformatory establishments, the parent who, either by neglect or by bad example, had been the cause of the child's offending, should himself be obliged to bear the expense of his maintenance whilst there?—That is the principle which I advocate.

534. You could not say at all what you consider would be the expense of a boy's maintenance in these establishments?—I think I can. I find at Birmingham that the managers of the school founded by Mr. Grantham Yorke are willing to take a boy or a girl, and feed, clothe, and lodge that boy or girl at 8 *l.* a year. It is found that they can give, according to the dietary which I hold in my hand, six dinners in the week and five afternoon meals for an average of 7 ½ *d.* per head per week. To prevent misconception, I should state that this dietary applies as to the number of meals to day scholars.

535. Mr. *Adderley.*] Is 8 *l.* the residue or the whole cost?—The whole cost. If any benevolent individual found the lad in the streets and chose to provide for him at his own expense, he would take that lad in his hand to this Reformatory and pay 8 *l.* a year for him, and he would be maintained, and the governors of the institution would not consider that he imposed any burden upon the establishment.

536. Is that after deducting the price of the labour?—I dare say that is after deducting the price of the labour, but in this institution, which is very lately founded, the product of the labour has not been hitherto a very material item.

537. Mr. *Tufnell.*] You have stated, I believe, that at Mettray the value of a boy's earnings in the year is about 8 *l.*?—About 8 *l.*; the expense is 20 *l.*, that 20 *l.* being reduced to 12 *l.* by the value of the labour of the boy, which is 8 *l.* a year.

538. Now supposing that unfortunately in a family, not only one, but three of the children have been convicted, do you not consider that, in that case, the fault of so many having been convicted was that of the parent?—I should think that in proportion to the number of his children who turned out ill, would, in all probability, be the neglect or misconduct of the parent.

539. Would you think it possible to carry your system into effect, in the event of three children in a family having been delinquents?—Do you ask me if I think that, supposing there were three children in a family, under the animadversion of the law, it would be possible to make the parent bear the expense of three?

540. Yes?—I certainly should aim at making him bear the expense of the three. The whole matter would be under the discretion of the magistrate making the order, and he would not attempt an impossibility; but for every reason for which it is just to make the parent bear the expense of the one, it would be just to make him bear the expense of the three.

541. But does it not strike you that, in that case, the greater that appeared to be the fault of the parent, the less would you have the power of making him maintain his child?—That is so, and that is an evil which the proposed plan has to struggle with in common with the Poor Law of the country. The less the individual chooses to exert himself, the greater burden he brings upon the community; that is a difficulty which I feel I cannot remove.

542. According to what you stated just now, the expense we will say of three children, would be 24 *l.* a year; now would you expect, the parent being in an humble class of life, that he could possibly afford to pay that sum?—I know an instance at Bristol of a man who is earning most excellent wages as a skilled workman, a painter, by which I believe he would be able to bear that expense, if you could bring a sufficient compulsion of law upon him to do it; but I will candidly confess

confess that *that* would be the difficulty of the case; still I think it is so important to force from the parent all that you can obtain for the purpose of making him contribute to the subsistence of his child, that I, for my own part, would put a machinery in operation to effect this object, although it should absorb all the expense. I mean to say that I would incur as much expense to get 2 *s.* a week from a parent who had neglected his child as would cost 2 *s.* on the enforcement.

543. Mr. *S. Herbert.*] Under the present law, in that case, the parent would be relieved from the whole expense, and the county would bear the whole expense of the three children who would be imprisoned?—Yes, which law I know to operate, as must naturally be expected, in many cases, that a parent, when his child cannot be made to contribute to the resources of the family, by his offences, yet suffers him to go into crime for the very purpose of relieving that parent of his subsistence.

544. Mr. *Tufnell.*] Is it not very difficult to obtain any small money payment from the industrious classes as the law stands at present?—I suppose it is; but gentlemen connected with the administration of the Poor Laws will know that much better than I do; I do not suppose, however, that that difficulty prevents them from obtaining what they can, or from doing their best to enforce orders of maintenance in bastardy, or where the father is charged with deserting his family.

545. *Chairman.*] Do you not know that the new machinery of the County Courts is made available now in such cases under the poor-law; do you not know that matters of that kind are treated as debts?—I did not know that.

546. Mr. *Monsell.*] How do you propose to meet the case of foundlings and orphans, and so forth, they being juvenile offenders; who would you make responsible in any way in cases of this nature?—It does not occur to me that you could make anybody responsible who is not by law responsible now. The ancestors and the children are responsible for one another; that is, the grandfather has to maintain his grandchildren if the parent cannot and he can, and, *è converso*, the grandchild must maintain the grand-parent or great grand-parent, if he is able and the other is not. I do not propose to make any change in the legal obligation, and therefore I must leave foundlings or orphans where they are now, to the expense of the public.

547. You stated, I think, that you considered poverty to be a much smaller cause of crime than it is usually supposed to be?—I did.

548. I think you endeavoured to prove it by a sort of process of exhaustion. For instance, at Mettray you said there was a great number out of 100 children illegitimate, a great number of foundlings, and so on; and you took the residue and said the residue were the only classes in which you could say that poverty was a cause; now are not these other classes just the classes likely to be poor?—When I said the residue, I did not mean to use the term in the way the Honourable Member suggests, but I read out of a Table in which it appears that the same persons were counted over several times in various capacities. I did not mean by any process of exhaustion to eliminate poverty, but I meant to say that generally, from an experience of 30 years, in which I have tried some thousand prisoners myself, and as counsel have assisted in the trial of thousands of others, that I never found, I think I may say, 20 cases in which the immediate pressure of want was the cause of crime. But that is consistent with poverty being the indirect cause of crime; and, as far as I have been able to trace the operation of poverty, it has been either that it created moral destitution, or that it threw the criminal into habits of wandering and indolence, which exposed him to great temptation.

549. Although the pressure of want may not in all cases have been the direct cause of actual crime, might not the pressure of want in a great number of instances have been the cause which has led the child into that calling and joining that class of criminals?—I think not.

550. Do you not then consider that the number of juvenile offenders would probably be considerably diminished by any opening, supposing any extended system of emigration which gave great elbow-room to the class to which these people generally belonged?—Yes, I think it would; because it would take away, supposing the emigration to be gratuitous, the class which is likely to neglect their children, and to suffer them to form nomadic habits of life.

551. Would not that considerably remove the temptation to that crime which you say is so prevalent at Birmingham; for instance, taking the meat exposed outside the shops?—Yes, it would, but I do not apprehend it is persons under the immediate pressure of want who do that; it is the temptation of opportunity.

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552. Mr. *M. Milnes.*] Allow me to put into your hand the Report of the Committee on Prison Discipline of 1850; at page xviii. of that Report, towards the bottom, you will find some resolutions which were moved, and read the first time, upon the subject of the discipline of juvenile offenders. The first of these resolutions is, "That the witnesses examined by this Committee as to the effects of the present systems of prison discipline on the class commonly designated as juvenile offenders, unanimously confirm the opinion which might be formed from their increasing numbers and frequent recommittals, that imprisonment as now practised has little salutary operation on their characters and actions." I am desirous to ask you whether you agree in the opinion expressed by those witnesses, and whether you have any remark to make upon that subject?—I give a qualified assent to this resolution: I believe that imprisonment has been so conducted in many prisons that it cannot be deemed to have had an inconsiderable effect in producing a reformation, but I believe that under the best of circumstances its effects are small as compared with the effects of reformatory establishments which are not prisons.

553. The next resolution is to the effect, "That the corrective treatment of children and very young persons should naturally and justly be different from that inflicted on adult and fully responsible criminals, and that the places of confinement and restraint to which such young offenders are transferred, should be rather of the nature of Penal and Industrial Schools, than those of ordinary prisons." Do you agree with the purport of that resolution?—I agree with the conclusion drawn in this resolution; the discussion of the principle upon which that conclusion is deduced in the resolution, would, I fear, lead me into something like a treatise upon the subject of crime and punishment, in which I anticipate I might perhaps differ with many Honourable Members of this Committee. If the Honourable Member proposing the question would be satisfied with that answer, I can say that I do agree that the places of restraint to which young offenders should be transferred, should be in the nature of Industrial Schools, instead of in the nature of ordinary prisons.

554. The third resolution is this: "This Committee therefore recommends that district schools of this character should be established with as little delay as possible; and that, the discipline of such schools being distinctly reformatory, the locality should, if possible, be separated from that of the prison, and that the superintending officers be specially appointed for the service of such school." Do you agree with that recommendation?—I have a pretty full agreement with that recommendation, but I wish to be permitted to say that I still abide by the opinion I gave on Friday, that the attempt to establish such schools will be dangerous to the whole reformatory system in the public mind, if it should be carried on faster than you can find voluntary assistance in the superintendence and well-qualified instructors for the working of each school; and perhaps the Honourable Member will permit me to add to that the statement that, upon reading the reports of the American houses of refuge, I find that they are in the habit of calling in the aid of benevolent and enlightened persons living in the locality in which the school is, to assist in teaching and in operating upon the minds and hearts of the young people. I will further add, that when I say that they should be Reformatory Schools and not prisons, I look to something very much more important than a difference of name. I am opposed to these Reformatories being surrounded by walls, or to the young persons being kept there by physical restraint; and I find a curious confirmation of the soundness of that opinion in the Massachusetts Report, which is this: that at their house of detention they have two modes of dealing, or had two modes of dealing with the prisoners; one, which was applied to the greater portion of them, was to suffer them to work in the fields, or even to hire them out to persons desirous of employing them, and that in respect of those young persons so at liberty they had no desertions; whereas, with respect to a very much smaller number whom they confined in the same place within walls, they had four escapes during the same period, which they themselves remark upon with a view of showing the expediency of resorting as little as may be to physical restraint. I would still further add, that this opinion is quite consistent with my belief, that there must be such a power exercised upon certain occasions as exists at Mettray; that is to say, the fetching back by compulsion those who desert. I think that that power would be all that was required, and that the circumstance of leaving the school without the aid of walls is a very important stimulus to the managers and teachers to lay hold of the boys' hearts and minds, and govern them by moral influences, instead of force.

555. Mr.

555. Mr. *Tufnell.*] Do you consider it essential to the success of a reformatory establishment that the number admitted there should be limited, or within what limit should you wish the number to be confined?—I think that the number must be limited after a certain fashion, which I will explain. At Mettray, as I have already stated to the Committee, there is a large number of houses, each containing 40 boys, who form a family, and are under particular supervision. Now I am not sure that these houses may not be indefinitely multiplied, but I have a strong opinion that any attempt to deal with a very large number of juvenile offenders, as an undivided community, would be a failure.

556. Mr. *M. Milnes.*] The fourth resolution suggests that it will be advisable by some act of legislation, or by some act defining and declaring the present state of the law, that the age at which a child should be considered legally accountable for an act of felony or misdemeanour, should not extend below 9 years; do you approve of that recommendation?—I cannot say that I do approve of this recommendation, and I will respectfully offer my reasons to the Honourable Member. This resolution is founded upon the administration of law on the retributive principle. Now as long as the law is administered upon that principle, I think it inexpedient that there should be a limit of years as regards culpability, because I know very well that many children under nine years of age are as much under the dominion of conscience as at any period of life, and they would feel as much self-convicted by crime as at any after period; and suppose a child under nine years of age (and I am putting no abstract case, but one which has occurred) should be guilty of murder, I am afraid that the sense of justice of the community, as long as law is administered on the retributive principle, would be shocked by his being considered as an unaccountable agent, if it should be shown that he was possessed of sufficient sagacity, and was sufficiently educated, to make those who knew his character and who were cognizant of his actions, quite sure that he knew very well he was committing a crime when he committed that murder.

557. Would you carry that to the extent of considering that the responsibility of a child of such a tender age is sufficiently awakened, and so clearly defined as that he should be considered as regarding that crime in all its conditions and consequences?—I am disposed to accept that which the Honourable Member feels to be in his own mind a *reductio ad absurdum*, and I am disposed to rely very much upon the history of our own jurisprudence in that particular. A definite limit seems to have been formerly fixed by law; but that has broken down in the course of ages, and I attribute the departure which has been made from that rule of action to the principle which I have indicated, that in many cases it would be found that a child above nine years of age had no distinct idea that it was committing an offence; whereas in many other cases a child below nine years of age would be perfectly conscious, as much as if he were 21.

558. What has been your practical experience with regard to the age of criminal children, as to the youngest child which you remember ever having come under your jurisdiction, and also what is usually the lowest age?—Age has furnished, according to my experience, such a very imperfect criterion, that really I cannot answer the question, further than by saying that I have not registered in my own mind ages for the reason I have mentioned; that you find one child as far advanced in mind and conscience at seven years of age as you find another at the age of 14, or 16, or 18.

559. *Chairman.*] Is it not a principle of our law laid down that, between the age of 7 and 14, a child is considered by law *doli incapax*, unless that presumption be rebutted by evidence?—That has been the principle adopted by several criminal writers of high repute, but even that I think, with submission, has fallen into desuetude.

560. That is the principle as laid down by law writers?—By old law writers; but even that has fallen into desuetude, and you are to consider as well as you can, without the application of that technical rule, whether the child is *doli capax* or not.

561. It is a matter of evidence between the age of 7 and 14, I believe?—Yes, it is.

562. Mr. *M. Milnes.*] As regards a child below seven years of age, would you still admit the incapacity to commit crime?—The Honourable Member is putting a very painful case even to contemplate in the abstract. I hope I shall never be placed in circumstances to form a judgment upon that matter; I do not know that I have ever yet been called upon to do so. There is a very good-

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natured conspiracy with regard to small children, to save them as much as they can be saved, which the Honourable Member must be aware of, and that operates further where there is no Reformatory to go to, very much to the injury of the child, because he is suffered to depart in an unreformed state, from a general feeling which revolts against visiting him with the heavy penal consequences attaching themselves to a grave offence. If I am asked as a matter of science, it is another thing.

563. But you must be aware that the question of the culpability of the child in this case carries with it and implies the question of the culpability of the parent, and it would surely hardly follow, that because the child was to be considered not accountable, that therefore there should not be some redress from those persons who represented the child?—My opinion is, whether the child is accountable or not, his parents are clearly accountable to a certain extent, and I should make the child's accountability no criterion for relieving the parents, the least in the world.

564. You are aware of the French law upon this subject, are you not?—I am.

565. I believe I am correct in stating that by the French law a child up to 16 is not considered legally responsible, but is placed, as it were, under the protection of the State?—I think that practically and substantially the Honourable Member has carried away a correct impression; I am not quite sure that that would be the scientific view of the subject according to the code, but for practical purposes, I think the Honourable Member's impression is sufficiently correct; *sans discernement* is the expression. The jury must find that the youth acted *sans discernement*, and then his treatment somewhat resembles that of a prisoner acquitted on the ground of insanity with us.

566. Do you think it would be advisable to draw any such distinction with regard to age between this absolute and the relative culpability which the French law admits?—I am not prepared to say that it would not; I have provided for it in my own mind by contemplating, as I have more than once stated, that the power should be left to the judge to send the young person to the Reformatory, or deal with him as a criminal and send him to prison, and probably the distinction which the Honourable Member has now in his mind would at first very much guide the judge in determining whether he should be sent to the Reformatory or to the prison. In a case which very much revolted the feelings of the public, and in which it was very clear that the young person knew perfectly well that he was doing wrong, it might be thought necessary by the judge not to send such a juvenile prisoner among others, but to keep him for a more penal infliction; and the judge might do that, although he might still be of opinion that if he could exclude all considerations, except as regarded the permanent benefit to the individual himself, it would still be better to send him to the Reformatory School; but when he recollected what a malign influence that young person might exercise upon other juvenile offenders, he might still think it right, under all the circumstances of the case, to consign him to prison.

567. Do you think that that case would occur with regard to the lower classes of society, when, as there is little doubt, similar offences, not only might occur, but do occur, among the children of the middle and upper classes of the community, and are treated as childish offences, and not treated criminally, and which do not seem to produce any great injury to the community in general?—I do not contemplate that after a time the alternative of sending a person to prison would be much resorted to; I think it would only be in cases in which it was felt that his association with others would be very injurious to them; but at first, until the minds of judges are more in accordance with the views of those who consider reformation as the great practical object, I think that this power would be exercised sometimes of sending young persons to prison, and that any attempt to deprive judges of that power would meet with very obstinate resistance, not only in the judicial body, but in the country at large.

568. Mr. *C. Legh.*] In regard to the children below the age of nine years, do you think that then children are generally the victims of old offenders, in order to commit crimes by them?—Yes, very generally indeed.

569. Do you think that if they were themselves not amenable to the law, it would increase the power of the old offenders over them? Supposing a child not amenable to the law till it arrived at the age of nine years, would it not be more easily made a victim from that circumstance?—If by reason of their nonage, absolute impunity is awarded, they at once become mere manual instruments in the commission

commission of crime, and could be obtained with as much facility as any other tool. But I go further; the consciousness of impunity may incite its possessor to tempt others to crime who are not so protected. I will mention a circumstance corroborative of that view: it is part of our law, that a married woman is not answerable for certain offences when committed in the presence of the husband. I was informed by the solicitor to the Mint, that a widow woman who was a professed coiner, and had been engaged in coining for many years, inveigled a young man into marriage for the purpose of obtaining such impunity; that they were surprised together in the act of coining, and that he was hanged; she, with her paramours, having spent the night before in riot and debauchery, coming forth in the morning to witness the execution.

570. Mr. *M. Milnes.*] Have you ever heard any other less extraordinary instance of any practical evil flowing from this exemption of the fairer portion of the creation?—I have not borne in mind all the cases that have occurred; this was so extraordinary and so painful, that it fixed itself in my recollection, but I had it from the solicitor engaged in the prosecution, and who knew all the circumstances.

571. Do you think that this exemption of married women from culpability under certain circumstances does carry with it any dangerous consequences?—I am not prepared to estimate the amount of consequences, but all such impunity is very absurd and mischievous.

572. The fifth resolution is this: "That in cases where there is reason to believe that a child, on being dismissed from such a Penal School, would be in great danger of falling back into habits of crime, this Committee would recommend that legal powers of detention, for a given period beyond that to which the child is sentenced, should be given to the visiting magistrates, with the consent of the Secretary of State." I should infer from what you have stated, that you approve of the spirit of that resolution?—I certainly approve as a general principle of not parting with the child till he is properly provided for; but I am of opinion that it would be a much less shock to the received principles of English law, to attain that end by sentencing him to a longer period of imprisonment than is found in practice to be necessary to complete a reformation, and to obtain a place of apprenticeship or work for the lad, on his reformation being accomplished.

573. Do you not think he might there incur the danger of absolutely sentencing the child to imprisonment, or something like imprisonment, for a period which would seem extravagantly long, in comparison with that to which you would sentence a grown-up offender?—No, because I think as it would be explained to the criminals at first, and when the practice was established, it would be known to all without explanation, that this is only an alternative, that the sentence would really mean this: you are to be kept during your whole minority, or during five years or even 10 years, as I find is done in America, unless during that time you are reformed, and show by your conduct that you are so reformed.

574. Mr. *Adderley.*] That is not imprisonment?—No, it is detention; and the Honourable Member will recollect that I have guarded myself against being supposed to be an advocate of Reformatories which can in any fair sense be called prisons.

575. Mr. *M. Milnes.*] The last of these resolutions is to this effect: "That the parents or parent of any child sent to one of these Penal Schools should be, as far as possible, compelled to contribute to the support and education of the said child, and that the fines now leviable on juvenile criminals, by summary jurisdiction, should be recoverable from their parents or parent." I should be anxious to hear what you have to say upon that resolution, particularly with regard to the last point, which I think has generally escaped observation?—The resolution is divisible into two branches: the first branch is, that the parent shall be compelled to contribute to the support and education of the child; that, as I have already said, I not only assent to, but consider it a principle of the very highest importance. With regard to the latter branch, I yield only a qualified assent to the doctrine. By the law of God and man, every parent is bound to maintain his child; and his having exercised those duties in such a manner as to bring the child under the animadversion of the law, ought not, I think, to relieve him of that burthen; but that, upon the contrary, if it make any change, it ought to aggravate the burthen. But I know of no recognized principle which makes a parent criminally answerable or a criminal substitutte for his child; and, using the term with all proper reverence, I should say it is a species of vicarious

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punishment, which the law of man, in no civilised community, has sanctioned, so far, at least, as I am aware.

576. You are aware that by Sir John Pakington's Act, a certain fine is leviable upon the child; as far as I can find out, that part of the Act has never been carried out; I infer that that is from the impossibility of recovering this fine from the child?—No doubt of it.

577. Therefore, do you not think that it might be of use if, in this case of summary jurisdiction, the fine should, at the discretion of the magistrate, be leviable upon the parent?—It would be lodging a very wide discretion with the magistrate; there might be many cases in which, in the individual instances, it would work practically well, I dare say; but it would work practically, I think, by the infraction of a great principle of justice; we know many reasons why one person should be answerable *civiliter* for another, but there are no instances in which he has been made to answer *criminaliter* for another, without a shock to the sense of justice of all who have calmly considered the subject, unless he is an accessory before the fact. In the law of England, it has sometimes happened that a person has been criminally answerable for a libel which was written and printed by his servants, under circumstances which precluded the possibility of his having any knowledge of, or any choice upon the subject. There is a case in the books in which the proprietor of a newspaper, who was ill in bed of a raving delirium, was made criminally responsible for a libel published in his newspaper. That revolts the common feelings of mankind.

578. In what legal sense can a fine be levied upon a child who is not supposed to be possessed of any property whatever?—I do not know how that part of the law would be carried into effect, except in the very rare instances where a child has property of its own.

579. You would therefore be unwilling in that sense to make the parent pecuniarily responsible, and you would draw a distinction between fining the parent for the fines of the child in one sum, or fining him indirectly by making him contribute to the support of the child while in prison?—With great submission to the Honourable Member, I object to that classification. I do not consider the making him contribute to the support of his child in the nature of a fine or a penalty; that is a civil responsibility which arises out of the relation between the two, and all that you do is this: you say, "Supposing that this child had not committed any offence, you would be by the law of the land bound to maintain him; you cannot with propriety get rid of that obligation by the fact of his having committed an offence, whether with your consent or without your consent, whether by your negligence or in spite of your best endeavours. By his offence a burden is thrown upon the community, and the community must throw the burden back upon you if they can, because the primary liability rests on you." I do not consider it to be in the nature of a fine, any more than I consider it to be in the nature of a fine if my great grandfather were alive, that I should be bound to maintain him, if he were too poor to maintain himself.

580. From your experience of the state of the juvenile population, are you prepared to state whether you consider the present condition of juvenile crime in this country as an exception flowing from any defect of the law, or erroneous discipline of the law, or whether you consider it as a necessary consequence of your present state of society?—I should say that our present state of society brings causes into action which have a tendency to multiply juvenile crimes; but I think it is owing to a defective state of the law that those causes are not efficiently counteracted; not so counteracted as that there should be no juvenile crime, for that I hold to be impossible, but so counteracted as that juvenile crime should be diminished to a very small amount.

581. Do you think it, therefore, necessary that any special organization should now be created for the purpose of remedying this social evil, which would not be necessary as a permanent portion of the penal discipline of the country?—No; I contemplate that the treatment of juvenile criminals upon the reformatory principle should be made a permanent part of the law of England; but I think it very possible, although that must be a matter of speculation, that when this reformatory treatment has been in operation for a length of time, the number of juvenile prisoners will be very much diminished, and that the number and size of the Reformatories may therefore be very much reduced.

582. Mr. *Adderley*.] If the plan which you suggest were fully carried out, I understand that in any one locality in England there would be four sets of schools

schools for the poor: the existing National Schools and the three you have suggested: the Day School for the poor, the Industrial School for the vagrant, and the Reformatory for the criminal?—Yes. The Honourable Member will recollect I was asked if I could offer what I considered the best plan, and that I did so with some little trepidation; I therefore take this opportunity of saying, that though I consider the plan which I have offered to be the best which I can devise, I put no extraordinary weight or importance upon any given plan, knowing as I do that reformation has been produced in very high per-centages upon systems the most distinct, which have had indeed nothing in common except the general zeal and ability of those who carried them on; their kindness as distinguished from false indulgence, and the great influences of Christianity.

583. According to the plan suggested, there would be those four sets of schools in every locality: the National School, the Day School, the Industrial School, and the Reformatory School?—Yes.

584. In the neighbourhood of Mettray, and other schools which you have mentioned as models for Reformatory Schools, is there such a variety of other schools?—I am not able to answer that question in point of fact, but I should think the probability is in the negative.

585. Supposing there were such a Day School, Industrial School, and Reformatory School, as you suggest, established in any locality, would the circuit from which boys would come to each coincide?—The question is a new question to my mind, but in answering it at the moment I should say "No"; I should say that, for instance, the Industrial Free School, or the one next below the National School, would be required in several quarters in every large town; whereas the Reformatory School, to which the prisoners would be committed in execution of sentence, would not require to be more than one for each county in ordinary circumstances. But all that is a matter of experiment, and any opinion of mine upon it must be merely speculative.

586. Do I understand rightly that the Day School would take in the children of the poor, that the Industrial School would compulsorily take in, day and night, both for board and lodging, the vagrant children laid hold of by police, and that the Reformatory Schools are intended for the children who have already been detected in crime?—The Reformatory Schools are intended for those who are detected in crime, and the Honourable Member knows that vagrancy is an offence against the law; I think it is a matter which requires much consideration. Perhaps the experiment ought to be tried whether all who have been under the animadversion of the law should be put together; I cannot say I have a very determinate opinion upon that subject.

587. I do not distinctly understand the limits which exist between the character of children who reside at your Industrial Schools and those who reside at your Reformatory Schools?—In my last answer, I was contemplating for the moment, I perceive, only three classes of schools, because I was saying that it would be material for consideration whether all who had come under the animadversion of the law might not be put into one school. But while I see some reasons for it, I see also strong reasons against it, and one which strikes my mind at the moment is this: with regard to those who are consigned to the school by sentence, and who must live there, it is very important that they should be as far removed as possible from their former companions (especially if the school is not to have the attributes of a prison), in order to cut off communication between those in detention, and those at large; and for that purpose it would be advisable that these schools, like Mettray and Stretton-on-Dunsmore, should be in the country, and at a distance from any large town; and there is an additional reason why they should be in the country, it being found, by the universal consent of all men on both sides of the Atlantic who have been engaged in the great experiment, that there is no industrial training so reformatory as agricultural training. Then if these Reformatory Schools are to be in the country, it is quite clear that they must be boarding schools, and not day schools; thus it would be necessary, even on that ground, in those cases where you do not profess to take the child altogether from his parent, that you must provide day schools. Now the view that seemed to prevail at the conference of Birmingham was, that it might be considered harsh to decide that the parent had lost all the parental right over that child, when that child had only committed minor offences against the law not implying dishonesty; and the impression seemed to be, that some compulsion should be used to make the child so convicted of these minor offences attend a day school, but that it should not be plucked out

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of the family of the parent and consigned to the boarding school. And if such view be well founded, that again would necessarily make the two classes of schools which the Honourable Member adverted to when he spoke of four classes of schools. My own expectation is, that it would be found better in practice to have these four classes of schools. In the schools intended for those who had committed slight infractions of the law there should be a provision, to be exercised at the discretion of directors, for feeding the children, because they would be emphatically of a neglected class; and the compulsion which would bring a child to school might be defeated actually by his want of sustenance to enable him to come there and profitably to attend, and be subject to the discipline of that school.

588. Then I understand that your Industrial Feeding Schools are day schools?—For the most part I think they would be; I think they may possibly be like the Industrial Training School at Birmingham, which is partly a day school and partly a boarding school, there being boarders under peculiar circumstances of destitution.

589. The children at these schools are vagrants, or those who had got into the hands of police; what, therefore, do you contemplate as the probable life of those children at night, who are in the Industrial Schools by day only?—My contemplation on that matter is founded on some experience. We find that the power of the system over the children is such as that they in many instances not only escape the contamination of their home, but often act in a very salutary manner upon their parents, and that that reflex action upon the parents is a feature of the Reformatory Schools of the very highest importance. The parents become proud of the progress of their child, of its improvement in decency and cleanliness, and are often stimulated to make great exertions to find it clothes; and they soon discover that the child cannot be neat and clean unless the house is clean; and thus one improvement leads to another.

590. I wish to understand correctly the qualification in your mind for the third class, or Reformatory Schools; I think you used the expression, "Children having entered a career of crime." I wish to understand whether any single offences and first offences would in your mind be qualifications for that school?—The division which we made was between offences not implying dishonesty, necessarily, and offences implying dishonesty; the Honourable Member is asking with reference to the treatment of children who have committed offences not necessarily implying dishonesty.

591. Necessarily implying?—These are such as would be disposed of by the judge, or by the magistrate, by way of sentence to the prison in the reformatory school.

592. Would first offences ever entitle a judge to commit to a reformatory school?—If I might be allowed to use such an expression, I am no believer in first offences.

593. First convictions?—First convictions are, in 99 cases out of 100, the indication of a great number of offences.

594. You would leave that to the discretion of the judge?—All these are matters that I should leave to the discretion of the judge.

595. With regard to the Industrial Schools, would you contemplate sending children, not only laid hold of by the police, but children of whom there is evidence that they have no honest vocation?—We have determined to make our recommendation consistent with as small a change in the law as possible; but if you were to ask me what I should desire to see done, then I should desire to carry the system as far as I see it carried in the United States, where a power is given to the parent who cannot restrain or control his child, to bring him himself, and resign him, not merely to the Industrial School, but to what has been called, and I will adopt the term, the Penal Reformatory School.

596. Could any honest tradesman bring up a child before a magistrate in the United States?—I suppose he can; but I speak only from the knowledge that I have been able to glean from reading the reports, without an acquaintance with the laws of the particular states, and the Honourable Member will be aware that the law of one state differs very materially from the law of another; but I find that in Massachusetts there seems to be a mode of bringing all children who are pursuing a bad way of life, compulsorily under the operation of the reformatory system.

597. What do you mean by the expression, bad way of life?—I advisedly used a comprehensive designation, which, being comprehensive, must be somewhat indefinite; but I am about, if the Honourable Member will permit me, to read a list

list of the offences for which, in November 1850, the young criminals were in the house of refuge, in the State Reformatory School for Massachusetts.

598. *Chairman.*] What work are you referring to?—A little work called "Documents relating to the State Reformatory School for January 1851;" and I find here "Table of offences of all committed during the year ending 30th November 1850 and previously." For larceny, 41 in 1850, previously 119, total 160. I will not go through all the crimes, that is to say, those which regard previous convictions, but I will just read the committals for 1850: larceny 41, stubbornness 47; and I find that the number who are committed for stubbornness exceeds that of any other class. Now when I turn to another page, I find instances given of stubbornness, and it seems to fall within no more exact description than that which it a little surprised the Honourable Member that I should use, namely, that of "children who were pursuing a bad way of life." I will read from the report what I meant: "As the inquiry is frequently made, 'What constitutes the offence of stubbornness?' (one does not wonder that such an inquiry should be made), 'we propose to answer it by presenting some extracts from the boys' previous history. No. —— has spent most of his life idling about the streets in company with other bad boys, and has been addicted to the use of intoxicating liquors and tobacco; has often been intoxicated, has indulged in lying, profanity, pilfering, and sleeping out. No. —— has been once imprisoned in the county prison for stubbornness, twice in the common gaol for larceny, has spent much of his time in idleness, has been very profane, and much given to lying and sleeping out. No. —— was sent to the house of correction about a year since for stubbornness. For four or five years has been in the habit of pilfering money and small articles from his mother, has been notoriously profane, having formed the habit of lying and associating with a bad class of boys; often returning to his mother late at night. No. —— is a notorious truant from school and home, addicted to the habits of chewing tobacco, and profanity. He has associated with the worst class of boys, ran away from home many times, often staying away several days and even months at a time, sleeping at nights in stables, or any place that might afford him shelter. At two different times he was absent three months," and so on.

599. Mr. *Adderley.*] Do you consider any of the various institutions to which you have alluded in various parts of the world to be exact models of what you wish to introduce into England?—No, otherwise I should have taken some one of them, and contented myself with as good a description as I could of that one institution.

600. Is there considerable similarity between the institutions for this purpose in various countries?—No, I think they differ, except that they all contain those principles upon which I have insisted; that there is an infusion of the voluntary principle; that there is great ability and great benevolence in the managers; that these operate by kindness, as distinguished from false indulgence, and that are all acting under a very deep impression of the importance of Christian training.

601. Have you contemplated any great difference in the standard and nature of education in your different kinds of schools?—If the Honourable Member means to include in that question the four schools to which he has called my attention, I certainly do; because in the National Schools, inasmuch as the pupils are already well conducted, the great object is to give them instruction in those branches of knowledge which will be useful to them in after life, raise their position, and thus bestow on them what we commonly call a good education. But with regard to all but those, the great object is, I submit, to reclaim them; to bring them back into the brotherhood of society; to turn them from enemies into friends; and when that is done to enable them to acquire habits by which they shall be self-supporting in the humblest occupations of life. If they, by their own aid, or by the assistance of private friends, can rise out of that humble position of life, be it so; but I am by no means contemplating that the State is to give them any assistance, or looks forward to their filling any but the lowest among honest callings.

602. I understand that in the Day Schools, Industrial Schools, and Reformatory Schools, the books used would be the same, the standard of education identical, and that all three would be inferior to the National Schools?—That I contemplate; but perhaps I have never spent so much time as the Honourable Member has necessarily expended in asking the question on considering that particular point, but certainly it is within my general contemplation.

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603. But the Reformatory School, according to your plan, would be upon a much larger scale than the National School; it would be a county institution instead of a town institution?—Yes, it would extend over a larger district, certainly.

604. Should you not suppose that the education would be the best on a larger scale generally, as requiring more efficient masters?—I do not know that it would be the best, if by the best the Honourable Member means at the moment that which implies a greater cultivation of mind, because I apprehend that the advantages which will be gained by having the children always at the Institution, will be very much employed in drawing from them a greater amount of labour than could be drawn from mere day scholars, who must be under inferior control; that is to say, they cannot be brought under the same degree of compulsion that the boarders are brought, with a view of obtaining as much profit from their services as can be obtained without injury to their health.

605. You have no fear, then, of the third class of schools, which is for the lowest order of children, morally speaking, becoming a school for better education than the other two?—No, certainly not; not so as to make it an object to desire to go there, in preference to the National School. Certainly if a child can without harshness be induced to labour up to the limits of health, it must be quite clear that that child is acquiring a most important habit; and looking at that habit as a part of education, it will confer a benefit upon him; but that is a consequence necessarily incident to his being made to labour. Its operation upon his mind *ab ante*, and upon the minds of all who know how he is treated at this Reformatory School, is anything but an inducement to go there.

606. Do you contemplate, as part of your plan, providing for the children leaving the first and second kind of schools that you have mentioned after their schooling is completed, as well as the children in the third kind of schools?—I contemplate that that should be done as much as possible, and it will be done if you call into aid the voluntary assistance of benevolent persons outside; for they always take a great interest in the children whom they have taught, and they exercise their influence in placing them in situations.

607. Will there be any distinction in the mode of providing for the children of the first, second and third kind of schools after leaving school?—I have not even in my own mind gone into such *minutiæ*.

608. I do not exactly want the details, but do you suppose that the children of the third kind of schools will obtain similar employment after leaving school?—I should think so.

609. The same kind of occupation?—Yes, the same kind of occupation, all of the lowest kind consistent with health.

610. Can you inform the Committee how teachers are trained for Mettray?—Yes; the founders of Mettray, M. de Metz and M. de Bretignolles, established a school for training young persons with a view of their becoming teachers in the establishment of Mettray, and they drew them, as far as I can understand, from what you may call the lower section of the middle class of the neighbourhood; many from Tours, I know, and from other places; and when they found that these youths had what the French call a *mission* for their future career, they cultivated their talents, and especially their moral feelings, with great assiduity, and, as I can speak from personal knowledge of several of the individuals, with very high success; so that they did not attempt to carry their main plan into operation until they had a staff of these teachers.

611. Do you know if at Mettray the parents have access to these children; and if so, at what times?—I cannot answer that question.

612. In the first and second class of schools that you propose, do you propose a certain portion of the year in which the children should return to their parents?—In the day school they would return to their parents every evening.

613. I mean those that are boarders?—No, never till their reformation is complete.

614. If your system were to be entirely carried out, should you still contemplate any necessity for carrying on the plan which you now carry on occasionally at Birmingham, of committing children to the care of respectable tradesmen, masters, under obligation?—I should think that the operation of that plan would be very much restricted, it would only be resorted to under exceptional circumstances.

615. You think that there still might be cases?—There are some cases in which you have an opportunity of disposing of a child at a distance; I have had the opportunity

opportunity of disposing of a child at a distance from Birmingham, and sending him to kind relatives who have come 40 or 50 miles on the chance of being permitted to take the child away. Under those circumstances I should perhaps think it still advisable to persevere in that plan, for this reason, that it is quite clear that in an artificial establishment like a Reformatory, you can only imitate the action of the family principle. If you can send that child into the bosom of real families, who feel an affection for the child, who will show him good example and treat him with judicious kindness, you, I think, put him under circumstances of very superior efficacy for reformation to what can be expected in any artificial system, however good.

616. Do you want any alteration of the law to give you that power?—As to that, I think I informed the Honourable Committee on Friday last, that there was a difference of opinion as to whether the legal power existed or not; I am of opinion that that legal power does exist, but I certainly have no objection that all doubts should be removed.

617. Mr. *Tufnell.*] With reference to the number in these Reformatory Schools, are you aware that M. de Metz has lately expressed an opinion that not more than 300 should be placed in one establishment?—I am not aware that M. de Metz has said so, but I should not be surprised to find it so, because he would have an opportunity of practically learning whether these houses, which appear to me to be an excellent plan in dividing off boys into families, were sufficiently operative to that end to permit him to have an indefinite number of these houses. I should think it possible he has found that it is not so; even with this division into families, the number of families may be too great for discipline.

618. Mr. *Cowper.*] You spoke of three sorts of schools in addition to the National Schools; to which of these schools do you contemplate that the children who now go into the Ragged Schools would be sent?—Into the one which we have called the Free Industrial School. The necessity for that division, if the Honourable Member will allow me, arises out of this fact, that there is a very large class of children who have not been convicted of any infraction of the law, who nevertheless never will go into the National Schools for several reasons, and one is, that they are inferior in their manners and their dress, and that they will not go, as they term it, to be looked down upon. Another reason is, that the parents of those who now send their children to the National Schools would be very reluctant that their children should associate with this lower class.

619. And with reference to those children who are now orphans, or who have no home, and yet have never fallen under the animadversion of the law, how could they be provided for in the day schools?—I am supposing that they have some casual provision, otherwise I ought to find them in the workhouse. If they had no provision, if they were mere wanderers about, I should be very glad that they should be cared for in these schools, or some of them; but having laid ourselves down as a principle to interfere with existing law as little as possible, we have rather left those children to be provided for under the operation of the Poor Law.

620. The Marquis of *Blandford.*] Up to what age have you contemplated the introduction of these children into the Reformatory Schools?—That is a point upon which there exists some difference of opinion amongst us; I myself rather desire to follow the precedent laid down in France, and which seems to have been successfully acted upon at Mettray, which gives the limit at 16 years of age; but other gentlemen, who have had more practical opportunities of forming an opinion upon the subject, would rather lower the age, partly because they think that it should be so lowered, and partly because they think that it would be desirable not to make too great a change in the law at once.

621. You spoke of one of the evils which you believe to attend the system of penal infliction to be, that the children receiving punishment as they now do, or the young persons receiving the punishment as they now do, at the hands of the law, are led to look upon crime and punishment in the light of a debt and a payment, which payment when it is acquitted they think that they are then at even scores with society; now that being, in your consideration, an evil of no common magnitude, would you, in the system adopted in these reformatory training schools, endeavour to inculcate into the minds of the young persons, or to let them entertain any idea that the reformatory principle was adopted not in any light of calling upon them or making them contribute any payment or satisfaction for the injury done to society by their crime; I am not speaking of the religious principles of Christianity,

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Christianity, but of the view which you would endeavour to give to them; you spoke of the previous imprisonment as being highly detrimental to the children, caused as it is now by the present administration of the law; would you endeavour to produce an idea of morals in them?—I certainly would do so, but whether there would be any special instruction upon that subject, or any special precept upon that point or not, is another matter; it falls within the department of religious teaching, as it appears to me, and I am willing to leave it there. Though naturally confining my answer to the limits of the question, which question was applied to juvenile criminals, yet I certainly had in my mind, when I spoke of it as a great evil, the recollection that all the classes of criminals held that doctrine, and I was thinking, certainly, at the moment, of criminals whose deathbeds have been related to me by Captain Maconochie, and who, having committed the most atrocious crimes, had told him, one man especially, that he had no kind of fear as to his future fate, for that he considered that he had amply atoned for all his crimes by the misery which had been inflicted on him in Norfolk Island, and intimated pretty clearly, that if he had done nothing but commit murder all his life he should consider that the pain he had endured was quite a sufficient atonement.

622. Independently of these evidences, which of course are grievous errors, wherever they subsist, is it not a principle of our criminal jurisprudence, that the law does look upon the infliction of a punishment in the light of a payment to society for an offence that is committed?—Perhaps I may be permitted to answer that question by saying that there is a truth involved in that opinion, although the opinion cannot be called a correct one, and it is this: that in all offences there is a compensation due to the individual, which, when it is made, leaves the offence against society untouched. If a man picks my pocket of my watch in the streets, and afterwards comes back and restores that watch, he has put himself right as regards me, but he has not put himself right as regards society.

623. Therefore, so far as he has not done that, a satisfaction is due to society, which is taken out by the punishment of the criminal?—With great respect, I object to that view; a satisfaction cannot be given to society, as it appears to me; therefore, as it is an impossibility, I do not consider it due. I think that society may justly require that the individual should either be incapacitated for further crime, by death, which is a permanent incapacitation, or by imprisonment, which is an incapacitation while it lasts, and which I think may fairly be made to last until reformation is effected. In what I have just said, I have been thinking more of adult than of juvenile offenders; that is my view of the relation between the criminal and society.

624. Taking an extreme case, do you not consider the punishment of death a payment or satisfaction to society for the crime committed by the individual?—No, not at all; I cannot consider it a satisfaction, or payment, because it does not seem to do anything but evil to society in its direct operation, by depriving society of two members instead of one. It may be necessary for other reasons and other causes, but not by way of satisfaction.

625. Then so far as our criminal jurisprudence may be held in any degree to have that aspect, with regard to which I have been asking, you consider it to be a defect?—I do, and I consider that the law has been injurious, as I said, from leading individuals, naturally though erroneously, to look at their punishment in the light of a satisfaction, and consequently of an acquittance.

626. Have you at all turned your attention to what amount or nature of religious instruction you would give in these schools?—I have not touched much upon that topic, it is one that raises so many diversities of opinion; but I do know this, that in many of our prisons as they exist, the chaplains are acting with the highest zeal, and the most perfect discretion, and doing the great work in the very best way.

627. As far, however, as that is concerned, I understand you to say that you have not matured the plan?—As far as that is concerned, I have contemplated that there would be chaplains, and that, in fact, the religious instruction would remain very much upon the footing on which it is in gaols at the present time, where, as the Committee knows, if a prisoner objects, upon religious grounds, to the ministry of the chaplain, he is permitted, under certain limitations, to call in aid the services of those in whose doctrinal views he agrees.

628. Then, as far as that point is concerned, you would propose, to the extent you

you have considered the question, that it should be conducted under the management of the national establishment?—With the same limitation.

629. In fact, as our prison discipline now is?—Yes, with the same limitations; I know that that is a topic of a very delicate nature, but inasmuch as criminals are now placed under the religious superintendence of chaplains, I see no necessity for a change when they are placed in reformatories instead of in prisons.

630. Mr. *C. Legh.*] You said just now that an objection might be made upon religious grounds in gaol; you can hardly contemplate a child making objection upon religious grounds; would you then contemplate the power of the parent making objection?—I was rather considering the power of the parent then, and perhaps even when he has forfeited all his temporal rights, there would be great disinclination in the Legislature to deprive him of some influence with regard to the religious teacher under whom his child should be placed, but I think, as far as I know, that all this is sufficiently provided for by the law as it at present stands, and one reason for my not entering upon it was, that I did not contemplate any change in the matter; but I should be sorry to be supposed not to have considered it.

631. Although you have not entered into that question, do you think that the differences which have existed upon religious matters in various classes of the community would create any additional difficulty in respect to your plan?—The only difficulty I apprehend exists among those who, like yourself and your class of society, are discussing it. With regard to these poor creatures themselves, they have scarcely any religious differences, and I rather think that if inquiry were made among the governors and chaplains of gaols, the Committee would find this provision for calling in the aid of ministers of other denominations than that of the Church of England, very rarely indeed put in action. The truth is, that the class from which criminals are drawn have no religion at all; they are not divisible into Roman-catholics and Protestants; they are for the most part practically heathens.

632. Now be good enough to take the case of a manufacturing district, where there may be a large population of Irish; take the case of several Irish Roman-catholic children, do you think there would be any difficulty in that quarter?—I do not myself anticipate much difficulty, but if you will allow me to refer you to a gentleman whom you must examine, I think, Mr. Carter, and also Mr. Clay, two most zealous and able chaplains, they would be able to speak upon that point specially, inasmuch as their fields of labour lie in districts much inhabited by Roman-catholics.

633. You of course, like every other person, are aware of the religious differences existing in society, but still you do not think that they would militate against the scheme which you propose?—I do not think they would; I believe the only difficulty arises among legislators, and those who can influence the making of the law, and not from those who are under the operation of the law.

634. Sir *W. Jolliffe.*] I quite understand you to be of opinion that it is necessary that there should be a charitable and philanthropic action, both for the support and for the regulation of the Reformatory School which you contemplate, rather than a Government establishment for that purpose?—The Honourable Member is substantially right, but I would beg leave to distinguish in this way: I look upon its being necessary there should be voluntary action, because I am not aware that there is any establishment which has vindicated the success of the Reformatory principle, which has not more or less a voluntary action in it. But with regard to private subscriptions furnishing part of the funds, I only demand the private subscriptions from each individual as a test and guarantee of his zeal and sincerity, and not for the sake of the money. I do not know a better way of applying the subscriptions than by making them part of the funds of the establishment; but it is not in a financial point of view that I desire this contribution, for I think that in the main the funds must and ought to be supplied from a public source.

635. Then public funds being supplied as the main source from which these establishments are to be maintained, would you suggest any local administration of these establishments which would meet the view that you entertain with respect to their conduct?—Yes, I think I can. I distinguish between superintendence and those checks which are furnished by rigorous audit and inspection. The superintendence I think may be safely left, and perhaps can only be safely left,

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to the voluntary principle. The inspection and audit I leave to government, whether the central government or the local government, that authority, whatever it may be, which supplies the funds; and I further leave to that authority the power to withdraw their funds altogether if they find that they are put to an inefficient use, and *à fortiori* if there is malversation in the application of them. Now to take an instance, let us take Stretton-on-Dunsmore. That institution was founded in the year 1818, by the magistrates of Warwickshire; not acting as justices of the peace in the execution of any legal authority, but as gentlemen uniting from motives of benevolence. They obtained subscriptions from other benevolent persons who were pleased to aid them, and established, and have hitherto conducted this institution, and would continue to conduct it, I apprehend, with just the same discretion and with a great deal more efficiency, because with greater power, if there were a very large addition to their funds from public sources; but it is quite right, that when the public grant the supplies from taxation, the Government should hold a very strict check over the application of the funds. That is the principle which I humbly lay before the Committee.

636. Then you do not contemplate that persons ceasing to support this institution would withdraw their interest in it from that circumstance; that they would not feel that they were performing an act of charity towards these unfortunate young persons, which they did when they were maintaining them at their own cost?—I should certainly contemplate that there would be a diminution in the private funds, and I think that no evil, because I think that those who benevolently supply such funds, would apply the money which they saved to some similar purpose where it was more required, and where Government could not properly interpose. But what I mean is, that all who aspire to take part in the government of the institution, should subscribe, say two guineas or four guineas a year (I mention no amount except as an illustration), as a test that they were really in earnest, and as a means of keeping out of the control of these important institutions mere idlers and busy-bodies, or jobbers who are apt to intrude everywhere.

637. A Government inspection, you think, would be a sufficient guarantee for the expenditure of the public money without interference with the management?—I think so, but then I contemplate not merely an inspection of the finances, but an inspection of the course of training, after the present manner of inspection of Government schools, where, although the inspectors do not exercise much direct authority, yet their opinion and their advice are considered of great weight, and their influence is very considerable; and I see no reason why that influence should not be exercised upon these reformatory schools. It is a very wholesome and salutary influence, as experience has demonstrated.

638. You are quite aware, I dare say, that the establishment for juvenile convicts in the Isle of Wight, is purely a Government establishment?—I am.

639. Are you as well acquainted with the present system that is carried on there as you are with Reformatory Schools generally?—No, I am not. I have never been at Parkhurst; what I have read and heard of it has not created much desire to visit that establishment.

640. With respect to the contribution to the support of children by their parents, in cases where conviction takes place, what would be the nature of the inquiry which you contemplate, following out some questions that I was placing before you the other day, with regard to rendering the parent liable to the maintenance of the child; first of all, proof would be taken of the criminality of the child; in the next place, there must be a separate inquiry instituted as to the neglect which the parent had exercised towards the child; do you calculate that both those inquiries should go on before the magistrate?—I contemplate that the inquiry should go on preceding the conviction of the child; but taking it at the point at which the child is convicted, I should in the first instance act upon the clear liability which the parent is under to maintain his child, and whether the crime of the child was occasioned by the parent's neglect or not, I should say the parent is not exonerated from the maintenance of his child. Supposing his child had committed no crime, it would be his duty to maintain him. Why should the circumstance of the child having committed a crime, relieve the parent from that duty? I should say the parent is only to be relieved, in cases of irremediable poverty; poverty produced by want of means, and not by a daily waste of them.

641. You would not think it necessary to have proof of neglect; you would merely throw the child upon the parent, upon his natural liability for its support?—Exactly

—Exactly so; and that would furnish one reason, in addition to a great variety of others, why the maintenance of the child should be made as cheap as possible in the Reformatories.

642. Supposing a child of 14, or 13, or 12, were brought up, and the parent were told that the child had been committed to a reformatory establishment, and that it was his duty, and that he was required by the State to maintain that child; supposing the parent answered and said, If the child is let out he would maintain himself, or that by his labour he would remunerate him (the parent) for his maintenance?—The answer would be, you should have exercised the parental control in such a manner as to keep him out, which you have failed to do, therefore the burthen is thrown somewhere. Upon whom ought that burthen to fall? upon the parent, who has brought that child into existence, or on the public?

643. He might say, it is very true the child has committed a crime, but I have exercised all the care I possibly could; I have been employed, for instance, in a mine all day. I may have a wife who is not so industrious, or so well-behaved as she ought to be, and she has neglected the children; how, then, would you act; what answer would you contemplate making for throwing this burthen upon the father?—I should think those circumstances might make it a case in which you might pity the father, but they do not in my judgment justify the very dangerous precedent of making the crime of the child a benefit to the parent. But another answer is this: that all these circumstances would be urged in the particular case to the adjudicating magistrate, and he would take them into consideration. If he were of my opinion he would be very slow indeed to relieve the parent of the natural burthen which God and society have cast upon him. If he were of a softer temperament, he would admit the excuse with greater facility.

644. Of course you contemplate that the magistrate would have a discretion?—Yes.

645. And that where that was used with care and caution, he would have the power notwithstanding of sending the boy to a reformatory establishment to be maintained in some way or other, either by charity or by the public?—Part of the difficulty which presses upon the mind of the Honourable Member is met, in the United States, by giving the parent a power, when he finds his child ungovernable and addicted to courses naturally leading to crime, to bring him to the Reformatory, and put him into it of his own authority.

646. The offence that the child there committed coming under the denomination of stubbornness?—Probably so.

647. I think the quotation which you have made with respect to the definition of stubbornness would leave the law in a very vague state?—It certainly would, so far as it can be collected from the reports, but it may be better defined in the Acts.

648. Such a state of the law would hardly be in accordance with our notions of jurisprudence, would it?—No; I find in another part of the report this classification: first, children convicted of criminal offences; secondly, those who are committed as street beggars or vagrants; thirdly, children whose parents asked their admission for incorrigible habits or vicious conduct; fourthly, those whose parents from moral depravity are incapable or unwilling to take care of them. So that, under the fourth class, children found roving in the streets, and in courses which naturally lead to crime, would be taken hold of, although they are not proved to have committed a single offence, and put into these dormitories. The Committee will clearly understand that I have not ventured to propose any such interference with our law; but I just point out that the difficulty which presses upon the mind of the Honourable Member has been felt on the other side of the Atlantic, and has been met in the way which the reports indicate.

649. Are you acquainted with the results of the House of Occupation attached to Bridewell Hospital, in respect to the reformation of criminal boys?—I am not much acquainted with it.

650. Mr. *Fitzroy*.] Is it not the case that in crowded cities a very large proportion of the parents of these juvenile criminals are utterly destitute of any means of paying anything towards their maintenance, either in a Reformatory School, or elsewhere?—In one sense they are, and in another they are not. If you go to them at any particular moment, you will probably find that they have not a farthing in their pocket; but that in the course of the week they have been wasting their means in drink and selfish luxuries, tobacco, and so forth.

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651. But are they in possession of any property which could be seized, or be made available for the purpose?—No; but as in cases of bastardy, in the absence of any property to be seized, they may be seized personally, and confined by the operation of the law. The object would be, in the majority of the cases, to make them subtract something from their selfish indulgences in order to maintain their children.

652. How low in the scale would you go; would you fix any amount of wages or means which would render a person responsible, or would you leave that matter entirely in the hands of the magistrate?—I would leave that matter entirely in the hands of the magistrate; I am quite convinced that it would be impossible to frame a technical rule which would not work a great deal of mischief when brought into action.

653. Do you think that that fact will be capable of proof sufficient to satisfy the mind of any magistrate?—I think so, because I find that practically the law of bastardy works; and also the law which compels a man to maintain his family, and which punishes him for running away from his family. I find those laws can be carried into operation, and I see no reason why this should not. No doubt individual cases, in which it may be difficult to decide, or difficult to enforce the decision when made, will arise, as they do in the administration of all law.

654. The contribution by the parent towards the maintenance of the child in these reformatory institutions is a most essential element in the formation of these institutions, is it not?—I do not think it essential.

655. Do you think that it would be advisable to establish such institutions, unless the generality of parents whose children were provided for in them were compelled to contribute?—Yes, I think it would; and I do not think the system would work so ill as is generally expected, because I do not find that the classes upon which the law would act are calculating classes; I think that the danger of parents calculating upon relieving themselves of these burdens is much exaggerated. It exists to a certain extent, but to a limited extent, in my opinion. I do not think that those who make it a matter of such importance in their own minds give sufficient play to the good feelings of mankind. They suppose these poor creatures are more sordid than they really are.

656. In crowded cities is not a very large proportion of the juvenile criminals actually destitute of means of subsistence and actually suffering from hunger?—No, they suffer from hunger now and then; they are exposed to periods of suffering, but as a general rule I should say that they do not suffer so much as to induce them to submit to the restraint of a school for the sake of the food which they may obtain there in the case of a feeding school. And I know practically that it is not sufficient to offer children a dinner, and so on, if they will come to school when they can, even by a little suffering now and then, obtain a supply of food and indulge their idle and wandering disposition at the same time. Allow me to say this: I think that nothing would be more dangerous than a system of mere doles, where children or grown-up persons should resort to a window, put their hand in, receive food, and go away again at their own will and pleasure, wandering about and eating it as they choose; but if the same amount and quality of food are offered, with the condition of the restraint of school, I am of opinion, and that opinion is borne out by some experience, that there would be no great flocking of children to avail themselves of the offer; that they would still have rather to be invited and induced to come.

657. You are aware of the system that is adopted at the Red Hill Institution, are you not?—I admire all that I have seen of it, but I should not well stand an examination upon the minute regulation of it.

658. In the event of parents not being compelled to contribute to the support of their children at that institution, do you not think there would be a general inducement to persons in a destitute condition of life to get their children admitted there?—I believe there would be an inducement, and I believe there would be a sufficient inducement to make the proposal of fastening the burthen as much as possible upon the parent a very important one; but I understood you to ask me whether I thought it an essential condition to the establishment of a Reformatory School, and I said that though I considered it highly advisable, I did not consider it essential, and that if some competent authority should say to me, "You shall have a Reformatory School, but I will not consent to this principle of charging the parents," I would accept the Reformatory School, although I should think the system sadly mutilated for want of that limb.

659. And

659. And you do not think that a system so mutilated would be a strong inducement to the children of almost destitute parents to commit crime, in order to obtain shelter?—I think that the inducement may be, and has been, overestimated; it is an inducement, but it is counteracted in more ways than I think are in general admitted or understood to exist.

660. Have you had any opportunity in your experience of testing the effect of education, that is to say, the attainment of reading and writing, upon this class?—Mere reading and writing, mere mental education of any kind, I consider to have a tendency against crime as a general rule, but as a rule subject to a great variety of exceptions; and looking at it as a practical restraint of crime, I hold it very cheap indeed.

661. You are aware that the juvenile criminals in the prisons attend school, and attain a certain proficiency in reading and writing?—Yes.

662. And you do not find that those who attain that proficiency are less liable to recommittal than other children who are more ignorant?—I should think, reasoning on general principles, that probably they are somewhat less liable, but I believe it to be an inappreciable quantity; very small.

663. *Chairman.*] With regard to imposing the expense of the maintenance of the child upon the parent, I understand you to be of opinion, that it would be desirable to furnish to the judge or magistrate, as the case might be, authority to make an order upon the parent for the cost, in whole or part, of the maintenance of the child, in one of those reformatory institutions?—I think so.

664. You would leave that matter to the discretion of the magistrate?—I would.

665. You would not make it imperative upon the magistrate to issue such order?—No.

666. So that that order might be afterwards enforced at the discretion of that or some other magistrate, who might be applied to for that purpose, just as in the case you put of the illegitimate child?—Yes; I should propose to assimilate the law very much to that which applies to illegitimate children and putative fathers.

667. You think that it should be discretionary, in the first instance, whether any order should be made, and that it should then be discretionary in the magistrate, as to his issuing process for the purpose of enforcing that order?—Yes, with further discretion to relieve the parent in any new state of circumstances that might arise.

668. I think you say that if the principle of taking the recognizance of the father for the good behaviour of his child hereafter were to be adopted, you would make it optional in the magistrate whether he would take such recognizance; you would not make it imperative?—Certainly not; I should think it as an additional power given to the magistrate valuable, but as a restraint upon the magistrate pernicious.

669. In your examination on Friday last, you alluded to the work of Mr. Cochin; did you hand that in?—I produced it; I now hand it in. (*The Witness handed in the Pamphlet.*) Although I do not wish to force anything upon the Committee, I hold in my hand a statement of my own, on the institution at Mettray, in a Charge to the grand jury of the Birmingham sessions, made in the year 1848, and there is also another Charge, to which I had occasion to advert in this Evidence.

Vide Appendix.

670. Two charges delivered by yourself, as Recorder of Birmingham?—Yes.

671. I believe they contain a summary of your views?—They do, to a certain extent. (*The Witness handed in the Pamphlets.*)

Vide Appendix.

Thomas Paynter, Esq., called in; and Examined.

672. *Chairman.*] I BELIEVE you are a Metropolitan Police Magistrate, are you not?—Yes.

673. Acting at Hammersmith, if I am not mistaken?—At Hammersmith and at Wandsworth.

674. Are you a magistrate for any county except the county of Middlesex?—For the county of Cornwall.

675. You are a gentleman of the bar, I believe?—Yes, I am.

676. Did you formerly fill the office of Recorder of Falmouth, Penzance, and Helston?—I did.

677. How long have you acted as magistrate altogether?—I have acted as police magistrate

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magistrate upwards of eleven years; and I previously had acted for some years as recorder of the towns that you have mentioned, so that I may be said to have acted as a magistrate altogether about 16 years.

678. Now in the course of your experience, and particularly since you have become a metropolitan magistrate, have you had occasion to turn your attention to the principal causes of juvenile crime?—Yes, I have.

679. If you have any memoranda, be good enough to refer to them; were you examined before either of the other Committees which have sat upon this subject, one in the House of Lords, and the other in the House of Commons?—No, I never was examined before a Committee before.

680. Now be good enough to enumerate shortly to the Committee any leading causes of juvenile crime which have particularly forced themselves upon your attention?—I think in the first place that the great increase of town population has materially increased juvenile crime; boys who are brought up in a town are exposed to many unfavourable influences which do not exist in the country, and are deprived of many favourable ones. A boy who is brought up in the country has abundant space for exercise for the development of his physical constitution, opportunities for which do not exist in towns. There is a great want of playgrounds; there is a great want of open air exercise; and there is at the same time a great number of objects which excite moral and intellectual appetite; there are a great many things which tend to develope his moral and intellectual faculties, and in a great degree to stunt his physical growth and constitution. By that means he becomes a much sharper and readier boy, and is much more open, I think, to evil impressions as well as good ones; I think more to evil ones than a boy who is brought up in the country; that is my impression. Then there are some other circumstances which tend to increase crime; one is the open and exposed state of the nursery gardens. I do not know any cause that seems to produce crime so much in the first instance as the unprotected nursery gardens about London, and the unprotected state of the property in them. About this time of the year the number of convictions of this kind always increases very rapidly; and it cannot be wondered at when you have boys rambling out of town coming into such a parish as Fulham, or Battersea, or Wandsworth, where the fruit surrounds them on all sides without anything to protect the property. We seldom get a conviction with respect to those gardens that have brick walls; with respect to other gardens, the boys seem to think they have a right to go into them and take what they like.

681. In your opinion is there an unnecessary exposure of other property, which also operates as a cause of crime?—Yes, I am of that opinion. I think that the law which declares that no tradesman shall expose his goods at the outside of his shop ought to be carried into rigid execution. I have seen a great number of instances where I am sure the exposure has led to the felony, where the delinquent would never have ventured inside the shop.

682. Does the state of the dwellings of the poor in places like those which you have described operate, in your judgment, as a cause of crime?—Yes, in my opinion a very great one. The state of the dwelling, from its being so unwholesome and so uncomfortable, drives the father to the beer shop or the gin shop, where he is comfortable during the evening, and the mother very often goes after him; then the child is also uncomfortable from those circumstances, and goes about in the streets and soon makes bad associations. Those are causes, certainly, which do not exist in the country in the same degree.

683. Has your attention been drawn to places of public amusement, illegal fairs, small theatres, and so forth, as connected with this subject?—It has; especially to the fairs; that matter I consider a very great evil, especially of late years. At the time the present Police Act, the 47th chapter of the 2d & 3d Victoria, was passed, a clause was introduced for the purpose of putting an end to the usual fairs, after a certain notice was served by the Commissioners of Police. With the consent, as far as I recollect, of the lord of the manor, the magistrate was enabled to make an order putting down the fair altogether after due inquiry. The consequence of that was that several of the fairs were put down. There was Wimbledon fair and Battersea fair, if I recollect rightly, and some others. I thought at the time that this was rather a rash measure, because I was sure that the people who frequented those fairs, as well the persons who kept them and dealt in commodities which are sought for in such places, and also the persons who went there for purposes of amusement, would find some other way of gratifying their disposition, and

and I thought it rather dangerous to interfere with customs of such long standing, which the people looked forward to regularly as occasions of amusement; I thought it would have been better to have regulated them than to have abolished them altogether. Now the consequence of abolishing them has been that a great number of illegal fairs have sprung up to which the Act does not apply, and I may mention that last week there were two fairs at Fulham of an illegal character, and no less than 11 policemen were obliged to be employed at one of them to preserve order. This, as the Committee will perceive, threw a burden upon the police, by drawing them away from their ordinary duties, to prevent disorder and tumult. Then these fairs are much worse than the old fairs, because the persons who attend them are of a much lower class than the old fairs were attended by, and which were looked to by all persons as a secure and lawful place of amusement. Formerly tradesmen attended with their vans, and so forth, at the legal fairs, and respectable publicans also attended and sold their liquors at them; but at these illegal fairs the publicans are not allowed to go, and they are left entirely in the hands of persons who have no characters to lose or responsibility to incur, and much more disorder appears to me to exist there than in the old fairs. The only way in which they have been attacked has been indirectly, in consequence of the publicans' supposing they might attend those fairs as they did the old ones; the Government, or rather the Excise, instituted proceedings against them, and that has prevented their attending; but there is one of these fairs at Battersea which is a permanent fair; it has continued for some years, and the scenes there on a Sunday (for that is the great day of this fair) are such as no person could have believed to have existed in a civilized Christian country unless he had been an eye-witness to them.

684. Then I presume you have been there yourself?—I have been there twice; I went there about three weeks ago for the second time, in consequence of some complaints which were made to me, and I was very much shocked then as I had been on the former occasion; but I am happy to say that it is now put a stop to, or very shortly will be put a stop to. On a week-day it is also very bad; it is, in fact, a mere den of gipsies and vagrants; I think I counted upwards of 20 gipsy tents.

685. Do you consider it is worse on a Sunday than on a week-day?—I consider it worse on a Sunday. Sunday and Monday are much worse than the other days of the week. I am convinced that those who did not see it, could not believe such a state of things to exist.

686. Do you say that some interference has now taken place which promises to put an end to it?—The Commissioners of the Battersea Park, I understand, have given notice that these people must remove all their booths and depart, and that there is not likely to be a continuance of it.

687. In addition to those cases which you have mentioned already as causes of juvenile crime, are there any others which have attracted your attention particularly?—I think there is one cause of crime, which is not much adverted to, which may not bear very directly perhaps upon juvenile crime, but it has a very evil effect; that is, the state of shameful prostitution, in London particularly. I think that that has a very bad effect upon the juveniles, because these young offenders are very often in the same lodgings with young prostitutes of the lowest description.

688. Will you be good enough to point out any other causes that occur to you; have you observed anything in reference to the administration of the Poor Law?—I think that the administration of the Poor Law has some evil effects; the boys who get into the union workhouses are not, I think, looked after so carefully as they should be. They are not put out in the proper way. If a boy is put out, and gets into crime, he is not taken in again. The boys who come to be mixed up with the illegitimate children, and boys that are cast off in some measure by society, in the union workhouse, cannot be properly attended to by the guardians and the authorities of the house. I do not know that that is to be remedied as long as they remain there. They see a great deal of evil in the prostitutes and in the loose girls who go to the house; they are separated as much as possible from them, it is true, but a great deal of evil arises from their being placed in the same institution.

689. Have you formed any opinion as to how far the enactments of the criminal law may tend to produce consequences like those you describe?—I think there are many anomalies of punishment in the English law which tend to pervert notions of what I may call natural justice, and prevent the law having that effect which

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which it otherwise would have in deterring crime. Now, for instance, with regard to whipping: I think whipping is useful with regard to boys, but by the law as it now stands, you may whip a boy if he is not above 14, but from that age to 16, under Sir John Pakington's Act, you cannot do it. It now continually happens that two, three, or more boys are brought up on the same charge; some of them being below 14 are whipped, and the others who are engaged with them in the same act, cannot be whipped. The magistrate can whip those who are, perhaps, the least guilty, but not those above 14; and therefore, I say, the magistrate should either not whip at all, or have power to whip them all.

690. I suppose you must have a line drawn somewhere?—Yes; all those brought up before a magistrate under the same Act and on the same charge ought, I think, to be subjected to the same punishment; for if the elder boy is not subjected to the severer punishment, it becomes a perversion of justice. The law is the more anomalous, because when at the age of 18 the boy may be whipped again; he may be whipped for setting fire to farm buildings.

691. That is not by the order of the magistrates?—No, that is not by order of the magistrate, I admit.

692. That would always be the case, would it not, under any system, that you might have persons guilty of the same crime, upon whom the same punishment pronounced by law might operate very unequally, do what you would?—True; but the tenor of the law, at all events, should be the same; there would not be that *apparent* anomaly which tends to confound the notions of justice. For instance, some years ago I was Recorder, and a sort of regulation was made at the Home Office, that any boy below 14, I think, was to be sentenced to seven years' transportation, in order that he might be received at Parkhurst. It appeared to me very likely to produce very distorted notions of what was right and wrong in the mind of the public, that men were brought up upon charges apparently frivolous, and sentenced to two or three months' imprisonment, while these boys were sentenced to transportation. Then I should say with regard to punishment, it appears to me that not only are there some anomalous enactments, but the law is not administered generally so firmly and decisively as it ought to be. I think that if sentences in the first instance were more commensurate with the offence, if we did not begin with such very trifling punishment, which some official functionaries think we ought to begin with, the punishments would have a much more striking effect. For my own part I have been struck with this in many instances which have come before me. I am rather unwilling to refer to them, because I might be supposed to be throwing out some personal reflections. I was rather disposed to act upon the like principle when I first became a magistrate, but I have latterly acted upon a different system, and one which I think has been more effectual.

693. Be good enough to describe the system which you say you have acted upon latterly?—I have endeavoured to go much nearer to the extreme punishment which the law allows. I do not mean to say that there must not always be a great degree of latitude allowed. I think that an imprisonment for a week or ten days, or for a short period like that, quite out of the question.

694. Is that because you think that the amount of suffering inflicted is not sufficient to meet the justice of the case, or because it does not admit of any reformatory process being applied?—On both accounts; I submit that under the short sentence, the criminal is exposed to the contamination of the gaol, which takes away his sense of shame as effectually as a long period of imprisonment would do; and it does not have a deterrent effect upon those upon whom it is intended to have that effect.

695. Do you agree with the witnesses who have been examined before this Committee in the conclusion, that very short imprisonments do not admit of any reformatory process?—I do; short imprisonments do not admit of the least reformatory process. From the number of times some of these boys have been in prison I come to that conclusion. I had one boy brought before me not long since, who had been 23 times in prison; in fact, the lives of these boys are spent chiefly in prison, many of them.

696. Have you considered at all the subject of reformatory schools?—Yes, I have considered that subject to some extent; I was a good deal concerned with the management of the Philanthropic Institution, particularly while it was in London.

697. Were you a governor of that institution?—I was one of the committee; I have

I have also visited some of the institutions abroad. I have visited Mettray; I have also visited Rhuysselede, in Belgium, and also one at Aix.

698. Where is Rhuysselede?—Rhuysselede is about five miles from the Bloemendal station, on the road from Bruges to Ghent.

699. Is that a Government establishment, or is it an establishment supported by voluntary contributions?—That is an establishment which is entirely supported by the Government.

700. Will you be good enough to describe to the Committee the plan of that establishment; have you seen enough of it to enable you to do so?—My own visit was too short to permit me to describe it from my own observation and recollection, but I have read the report, which I hold in my hand, which entirely agrees with my recollection of it. The numbers, however, have considerably increased, and the institution has been most successful.

701. You are referring to a Report of the School of Reform of Rhuysselede and a Report upon the situation of the Agricultural School for the year 1850?—Yes; I visited it in the autumn of 1851.

702. Probably you could not, from your own knowledge and observation, give the Committee any short account of this institution?—I think I can give the Committee a short account. They there have a farm of about 200 acres, as far as I recollect; the buildings are very large and spacious, and it is altogether a remarkable establishment in that respect; there are about 500 boys, or rather there were about 500 boys in it at the time I was there.

703. Are you speaking of boys exclusively?—Yes; they intend to have an establishment for girls, but at present they have only boys there; they are not criminal boys, in the sense in which we use the word, nor in the sense, I think, in which they use the word. It was intended to be what I should call a great union workhouse, to receive the inmates of the depôts *de mendicité* throughout the country, what they term vagabonds; that is a term which means one who has lost his "*status legalis*," and to a certain extent his nationality; these boys are collected from all parts of Belgium. To this institution some of them are sent by the government directly, as well as by the judicial functionaries, as a sentence, and the others are sent, with certain permission of the government, from the different communes in Belgium. Those who are sent by the government pay 60 centimes a day for their support; those sent by the communes pay 45 centimes a day. At the time I was there the farm had been very successful, so that the payment by the government for their boys to a certain extent covered the deficiency of the boys sent by the communes who paid only 45 centimes. It was intended to be a great farming establishment and a model farm, and in that respect it seemed to have succeeded quite as much as a reformatory school.

704. When did that institution originate?—About three or four years ago; I think that its complement is full now. The number of officers is singularly small with regard to the number of boys; there are only 17 officers strictly so called to 500 boys. I have never seen an institution which appeared to be so well kept or that appeared so perfectly clean, the boys apparently taking so large a part in it, and where everything, as far as I could judge from a single visit, was going on so well, which is to be attributed no doubt, in a very great measure, as is generally conceded in Belgium, to the admirable talents of M. Pol, who is at the head of the establishment. He differs in some points from M. de Metz. M. de Metz seems to consider that there ought to be only 300 boys in an establishment of this description at the highest; M. Pol thinks there may be as many as 500.

705. In the institution of Mettray there would seem to be a much greater number of teachers in proportion?— Yes, a far greater number; but in copying any foreign institution very great allowance must be made for national peculiarities, and the peculiar condition of society; in Belgium two languages are spoken, and the two distinctions of people do not speak the same language, and they very seldom intermarry. M. Pol notwithstanding that difficulty, has contrived, by his remarkable talents, to unite them all well together, and they are remarkably docile and quiet; the boys turn their hands to anything; they have a great choice of employment for them; and in point of fact they sow the flax, they dress it, and spin it, they weave it, and, in short, perform all the processes from the sowing of the seed to the putting it on their backs. And then, with regard to their military exercise, in which foreigners take a great delight, and in which it is not easy to get English boys to take a delight, the introduction of military

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tary discipline in those schools is a great aid to discipline, and the boys there are said to go through their exercise as steadily as it is gone through in the Belgian army. Certainly it was very remarkable in one room to which he took me to see a boy 15 years of age teaching 20 or 30 others to play on different instruments for the band. I think it would have been a very difficult thing to have found a boy in England thus teaching 15 or 16 others. Besides this, they are taught to do various things; the whole service of the house is done by the boys, to an extent that I have not known elsewhere.

706. You say that some of the inmates are boys who have never been guilty of any offence, or rather never convicted of any offence, and that the others are merely poor boys?—They are merely poor boys.

707. Is the same system of treatment adopted with respect to both classes of boys?—Entirely so, except as to the rules by which they are admitted, and on which they go out; for instance, if a merely poor boy has to leave the institution, he would not be allowed to leave it without being placed in the hands of his parents or friends, and inquiry being made to see if they would receive him; whereas a boy, who comes there entirely destitute of relations and friends, comes there as a vagabond, and is not allowed to go out till after a longer period, not until the directors of the institution are satisfied that he is able to gain his own living.

708. With regard to those who have been guilty of offences, is any reformatory process applied?—No more than the general discipline of the house; but they do not consider it as a prison; they consider it solely as a reformatory school for poor children.

709. You mentioned some other institutions which you had seen, I think?—I did; I have seen one at Aix. That was many years ago, and that was attached to a convent. I have a very imperfect recollection of the name, but it was one in which I took great interest, and it was one of the first that I saw. It was conducted by a superior, who was of some religious order, a superioress rather, and she described the habits of the boys at Aix as being singularly depraved. The thing that struck me most was, that she considered it hopeless to deal with a boy in their institution if they took him in after he was nine years old.

710. Were these boys that had been convicted of crime, or were they poor boys?—They were poor boys from the *depôts de mendicité*.

711. Was this institution of the same kind as the one which you have already described?—In some respects. In these foreign institutions there is a very coarse kind of fare for the boys, which it would not be easy to introduce here; it is wholesome, but I do not think the English boys would submit to such coarse fare, or to having meat so seldom. The foreigner in that respect differs materially from the English boy; he is dealt with more severely. There is an institution at Hammersmith connected with one of the convents, at which they have 90 young women, who are taken in as penitents, and who are employed in washing, by which the institution is supported, and being a Roman-catholic institution, they would be glad to keep the fast-days, but they find it necessary to give them meat every day; they cannot get the work done without it; and I have found the same thing with respect to English workmen who are taken abroad, that they find it impossible to do the work unless they have more meat than foreigners. I mention this for the purpose of showing that allowances must be made.

712. Have you turned your attention particularly to the subject of reformatory schools, and considered how far they might be made useful as part of our system?—I think that reformatory schools might be made useful as part of our system, if they were cautiously introduced. I should, however, require a good deal of time to consider before I ventured to suggest an improved plan for that purpose.

713. Have any suggestions occurred to you which you think would be useful to the Committee; if so, be good enough to state them?—It appears to me that the criminal and the reformatory schools must be kept entirely separate. It appears to me that it would never do to mix up the two together in this country, nor indeed would it be just in any country. If the Legislature thought fit to remove responsibility from all boys below a certain age, and if the public opinion went with the Legislature, you might treat all boys of a certain age as having acted, as the French say, *sans discernement*, and treat them as destitute poor only.

714. Does any alteration in the law occur to you as desirable with regard to the age at which a young person should not be held to be first criminally responsible?—

sible?—It is very difficult to lay down any rule. I have myself laid it down as a rule never to convict under nine years of age. But the character of children differs much; and, as I have before observed, the characters of children brought up in town are so precociously developed, that I should find it a very difficult matter to mention any age at which they should not be treated as criminal. For my own guidance, I have never ventured to commit a boy under nine years of age. I have, whenever they have been brought before me, always placed them under the care of their parents, if they had parents, or of near relatives if they had them. If they had none, I have then sent them to the union.

715. A person under the age of seven being charged with felony, you have not convicted of that crime, but you have dealt with him summarily?—I have either sent him to the union workhouse or got his parents to take him home.

716. But you have never treated him as a criminal?—No.

717. Are there any other suggestions that occur to you in connexion with the inquiry which the Committee is now making, and which you think would be useful to mention to them?—I think that the suggestion which has been thrown out, of taking a security from parents for the good behaviour of the children, agreeably to the old English law, might in many cases be adopted. I think it would happen very frequently that such security would be forfeited; for in the majority of these instances I should think the parents would not be able to make good the responsibility. Of course, in those cases, you would say, if you cannot, the child must be taken by the country and brought up in a reformatory school, with some lengthened period of detention.

718. Is that a suggestion which appears to you to be deserving of serious consideration?—Yes; I have looked very carefully into the law, and it seems to me to have been applied for a long time in the law of England, and I do not see why, under some circumstances, it might not be applied again. When I first began to act as a magistrate, it appeared to me that there were many cases where you could not exactly say that a breach of the peace would happen, but where you might take sureties to be of good behaviour, but I afterwards found that the practice had become too obsolete to be renewed.

719. Do you think that some new legislation would be necessary in order to give a modified power to the magistrate?—Yes, I think so.

720. To the principle itself, I understand you to say, you are favourable?—I am.

721. Mr. *Adderley*.] You say that you have long been in the habit of committing criminal children, under the age of nine, to workhouses, or to the care of their parents?—I have not committed them, but I have taken pains to get the relieving officer to take them, if there no was no other way of disposing of them. I have disposed of them, according to the circumstances of the case, in any way rather than that of sending them to prison as felons.

722. Have you legal authority to do that; does the law give you that discretion?—I do not know that the law would exactly give us a discretion. If it gave us the discretion, at all events, of not treating them as felons, it would be left to us, as magistrates or private individuals, to do our best. We are in some cases guardians *ex officio* of the Board, and any suggestion that we might make would probably be listened to.

723. In the plan by which you carry this object out, you suppose first an acquittal, and afterwards assume that discretionary treatment of the child?—Yes, an acquittal, if you suppose that the child may be made the subject of a criminal charge at all, the same as an insane person, not being capable of crime.

724. Do you consider that the law gives that amount of discretion which you consider desirable in cases of that sort?—I think it does.

725. But from what you have stated yourself, to your mind it must be a very unsatisfactory mode of treatment. I understood you to say, that one of the principal causes of juvenile crime, in your mind, is the treatment of boys in workhouses?—Yes, it is.

726. Therefore it must be very unsatisfactory to your mind to send a child into a place where, according to your own idea, its criminality is more likely to increase than to diminish?—I would hardly put it so strongly as that; I think the administration of the poor law might be improved; and some of these houses are much better managed than others. We have one or two that are very well managed in our district, and at all events the union would be a better place than for a child to be going about the streets.

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727. Is it the education of children in the workhouses that you consider a cause of crime?—No; I think it is more their being exposed to see so much vice as there is there, and to hear so much bad language; because the Committee will bear in mind that the workhouses about London are the domiciles of a large portion of the most abandoned, or a considerable number, at least, of abandoned prostitutes. No cases are brought before magistrates so shocking to deal with as those of the prostitutes from the London workhouses. Although the boys cannot see, they cannot help hearing what is going on. All the education must be of a fluctuating nature in the workhouses, from the short period the inmates are there.

728. Does the Swiss school, to which you have alluded, take all sorts of destitute children?—The school I have spoken of, and which is mentioned in the report I have put in, is in Belgium.

729. But does it take all kinds of destitute children?—I think I may say so.

730. Some of them having committed crimes, and others not?—No, they do not consider it crime.

731. But those whom other laws would consider criminals are admitted there?—I think not, unless you consider the convictions under our Vagrant Act equivalent to the convictions for what is called *vagabondage* in Belgium. I do not think they are. In Belgium and in France it is rather the loss of a civil status than crime.

732. In Belgium, where this school exists, what is the treatment of the children whom we are now proposing to place in reformatory schools, namely, those who have committed crime, say felony?—They are detained in prisons now, very similar to our Pentonville Prison; they have one at Liege, which is set up entirely upon the principle of our Pentonville Prison, and all prisoners for crimes are detained there of all ages and sentences which are less than three years' imprisonment.

733. The children at this school at Liege, and those at Rhuysselede, are in no way the same class of children?—No.

734. The one class admitted into the one school could not be admitted into the other?—No, I think not.

735. Can you state that from accurate knowledge?—It is what I collect from that report, and from my own examination of the prison at Liege. There is one class admitted at Liege, that cannot be considered as criminal. You are aware that abroad, in Belgium, and in France also, a person has the power of sending his son for perverseness of disposition to a prison, by the authority of the procureur-general; and there is a considerable number of boys, at least there was a considerable number at Liege in the course of the year, who had been sent by their parents, who maintained them while they were there; they were respectable persons.

736. Can you state the nature of the punishments inflicted at Rhuysselede?—They have a set of cells, which were intended for punishment, and M. Pol told me that he had seldom sent them there. They had a pretty long list of rewards, and a *table d'honneur*, such as they have at Mettray. As a means of punishment, they refuse to allow them to take part in certain fêtes, and they also prevent them from seeing their friends. Those two things form the chief punishments.

737. Have they any corporal punishment?—No, none.

738. Do you consider that the same punishment would suit English children?—No, I doubt that very much.

739. You think that English children have not the same sensitiveness as to points of honour?—I think not.

740. And therefore you think that coercion would be necessary in England?—As far as I can judge, it would.

741. The Marquis of *Blandford.*] Is it your experience as a police magistrate, that by apportioning the sentences that are given to the nature of the crime committed, you produce a deterrent effect; I think you stated that by giving the punishment the greatest degree of severity that the law allowed, you found a more deterrent effect produced; was that the case?—Yes, I think so. I was speaking by comparison, and with reference to the sentences which frequently are passed by some judicial officers.

742. You do find that punishment administered with a certain degree of severity produces a deterrent effect?—I think it does with some boys.

743. You think it does with some natures and dispositions?—Yes; but on some it has no effect.

744. You believe that punishment administered of a deterrent character combined with a reformatory system would be the most effectual mode of repressing crime that could be adopted ?—Yes. *T. Paynter*, Esq. 18 May 1852.

745. Do you believe that the administration of a certain degree of punishment with a view of producing a deterrent effect is necessary ?—I do; and if it has not that effect upon the criminal, and upon the class to which he belongs, it at all events has it upon the class just above him; that is, on the outskirts of crime.

Lieutenant *Augustus Frederick Tracey*, called in; and Examined.

746. *Chairman.*] YOU are a Lieutenant of the Royal Navy ?—I am. Lieut. *A. F. Tracey.*

747. And have been for 18 years governor of the Middlesex House of Correction in Tothill-fields, Westminster ?—I have.

748. Has the system of discipline of boys there been successful, according to your judgment ?—A very short period of my service in Tothill-fields has been applied to boys directly; only since September 1850 to boys and females, and from that period I do not think the happiest results have been produced from the system.

749. What is the system that is adopted there with respect to discipline on the boys ?—It is an associated system by day, and partial separation at night; mere occupation during the day applied in the best and only mode suggested, namely, that of picking oakum, both unprofitable and unfit, and in my judgment, in every particular objectionable.

750. What alterations would you suggest with a view of improving the system ?—I object to a mass of boys, if I am to confine myself to juveniles, being associated at any time, or in any place, under any supervision; I think it a mistake. I would reduce the number, whatever the institution as to character or name may be, because that perhaps is immaterial; I would reduce the number to so limited an extent that a better class and an improved kind of classification should be carried out, which I do not think at this moment exists in any establishment in England, at any rate as far as I am cognizant; I think the disproportionate sentences, if I may be permitted to use such strong language, produce most mischievous results.

751. What do you mean by disproportionate sentences ?—I mean disproportionate, with reference to the offence.

752. Have the kindness to illustrate your meaning ?—I feel assured, in my own mind, that there is a want of uniformity of practice as to the mode of dealing with these offenders before the authorities, and this variation I regard as objectionable.

753. You mean, I presume, that one judge acts upon different principles from another, and that magistrates do the same ?—Yes; allow me to qualify my observation by stating that my experience is with respect to Middlesex alone; I do not go beyond that county, and I can only judge in respect of cases that have come before me in my capacity as governor.

754. Can you make any other suggestions to the Committee ?—I would submit an occupation really of some use, but I regret that I am not now in a position to recommend what; the present, however, is universally acknowledged to be wrong. I should tell the Committee also, that, as far as can be, we occupy a portion of the better description and conducted, holding it out as a boon, in such trades as shoemaking, tailoring, &c., though all in miniature, and in a very limited degree; every article of dress and shoes at this moment are made in that establishment; we have attempted, with some success, but in a very small proportion, rope-making and twine-making; but the drawback, I would respectfully say, arises from the short terms of imprisonment. In making this observation, I am dealing with boys *bonâ fide*; they must not be 17 years of age in order to be placed in Tothill-fields Prison; so that in truth, for the most part, they are mere children.

755. Is Tothill-fields confined to that class of offenders ?—It is confined to boys and female prisoners.

756. And the mode of employment which is at present adopted, viz., picking oakum, you think extremely unsatisfactory ?—Yes, most certainly; from a long experience, I most unhesitatingly say so.

757. Have you the means in your prison of classifying the boys, so as to carry out anything like a reformatory process in respect of them ?—I think the short

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terms of imprisonment are averse and opposed to that system; we cannot now carry it out with any degree of advantage.

758. Supposing the sentences were for longer terms of imprisonment, would you have in your prison the means of classifying the boys, so as to admit of any reformatory process being carried out?—I think we might, and I think the results would be early developed.

759. I presume you consider that to be a matter of first-rate importance?—I think it is of first-rate importance, and no system will work unless regard is paid to classification with juveniles.

760. Then one suggestion that you would make is, that there should be the means of an improved classification of the young persons?—Yes, there is not such great variety, according to my view, as to the character of their offences.

761. Is there any other suggestion that occurs to you that you should state to the Committee?—The inducement to crime varies, I think, in this metropolis, and deserves notice.

762. Probably you have heard the statements of Mr. Paynter?—I had the advantage of a previous conversation with Mr. Paynter; he has anticipated almost all I would have said on this subject.

763. You concur, in fact, with what Mr. Paynter has stated to the Committee?—I do, and I have almost used word for word with him in a paper I wrote two years since on the causes of crime in this metropolis.

764. Marquis of *Blandford.*] Would you, in any reformatory establishments which were instituted, give them anything of a penal character, or give the juveniles who were kept in those establishments any idea that they were suffering any just punishment for the crime they had committed?—I would, most distinctly; they should undergo a period, however short, of penal discipline. I object to their being sent at once, on the commission of an offence, to any reformatory establishment; that would be very mischievous, in my judgment.

765. You would confine them first?—Yes, and keep them a given period on probation, in order to test their fitness, and to impress them with the wrong they had committed.

766. Mr. *Adderley.*] In your experience, are the parents of the boys who come into that prison of that class that you might reasonably expect might be made to pay?—Distinctly not; they are for the most part very poor indeed.

767. What amount of education can be given in a prison like yours to boys?—Considering, as I said before, the disadvantage with reference to short terms of imprisonment, they are more advanced in education than would be readily believed. I think that the education afforded is in many instances quite surprising, looking at the general neglected condition of these children.

Veneris, 21° *die Maii*, 1852.

MEMBERS PRESENT.

M. Baines.
Mr. R. Palmer.
Mr. Headlam.
Mr. Cornwall Legh.
Mr. Fitzroy.
Mr. Cowper.
Mr. Adderley.
Mr. Miles.
Mr. Tufnell.
Mr. Monckton Milnes.
The Marquis of Blandford.
Sir William Jolliffe.
Mr. Monsell.

The Right Hon. M. T. BAINES in the Chair.

Thomas Paynter, Esq., called in; and further Examined.

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768. *Chairman.*] I understand you are desirous of adding something to the suggestions which you made when you were examined before this Committee on Tuesday last?—I am.

769. Will you be good enough to state what they are?—I forgot to mention what I had intended to say upon the subject of marine store dealers; I think that

that the existence of marine store dealers in this country is a very fertile source of crime, because the very trade of a marine store dealer enables the young criminal to dispose so very easily of all his plunder. It is rather an anomaly in our law, that the pawnbroker, who is a man of capital, generally speaking a man of respectable character, and a person of much intelligence, is subjected almost entirely to the control of the magistrates; the pawnbroker and all his proceedings are under the rigorous superintendence of the police; the magistrate may send for him and his books, in any case where he thinks that an inquiry is wanted; and the pawnbroker, moreover, cannot deal with any boy under the age of 16; but the marine store dealer is a man of lower position as regards general estimation; I will not say he is a disrespectable character, but he is a man of very little capital, and his shop is open at all times to any person who chooses to come there for the purpose of disposing of stolen property.

770. Is there any Act of Parliament at all relating to marine store dealers?—There is one, 17 Geo. 2, c. 40, and several later statutes, but these statutes relate only to marine stores, properly so called.

771. But the marine store dealers are not touched in any way by the Pawnbrokers' Act of the 39 & 40 Geo. 3, are they?—Not at all; the only Act of Parliament which in any way places them under restraint in their mode of dealing is the 49 Geo. 3, c. 122, relating chiefly to the navy, which obliges them to keep entries of their purchases of iron and junk, if I recollect rightly. Now, those are articles which are not of much importance, and of course if they may buy other articles, they certainly should keep an account of those things also. I should venture to propose to the Committee that the marine store dealer should be placed at least under as great restraint as the pawnbroker; that, as the pawnbroker is obliged to keep a correct account of every transaction that he enters into, so the marine store dealer should at least be compelled to keep an account of every article that he purchases, as well as a memorandum of the person from whom he purchases it; and, if it could be carried out, I would further suggest that he should not be allowed to complete the purchase of any article until it had been in his possession for 48 hours, so that the police might have an opportunity of making an inquiry in case of anything being stolen. By that means the marine store dealer would be checked from taking it in, and, if he did take it in, it would be forthcoming. In my opinion the marine store dealer should also be restrained, as the pawnbroker is, from dealing with boys of tender age, which I think would, at all events, very materially check the facilities for crime.

772. In your opinion, do facilities for the perpetration of crime multiply crime?—In my opinion, they do, very greatly. Recently, a marine store dealer at Kensington, a man of very respectable appearance indeed, had long been suspected of taking in stolen goods, as indeed a great many of them are suspected, and justly, of doing so; but no opportunity had afforded itself of bringing the charge home to him till recently, and then it was found that this very respectable man, apparently, was connected with thieves, and, no doubt, he had been in the habit of receiving, for a considerable time, stolen property.

773. Is the way these class of persons designate themselves marine store dealers?—Yes; it is a name which has been derived from their ancient occupation in sea-ports. Now it has no connexion with the trade they carry on, because you find them just as much in London as in the sea-ports.

774. "Marine store dealer" is a term which does popularly express, and is well understood to express, a particular trade, does it not?—Yes, it does; and I think it is the term that is used in the Act of Parliament, but I am not quite certain upon that subject.

775. Mr. *Headlam.*] Marine store dealers do not pay any licence, I believe, do they?—No, they do not.

776. They are not constituted a company, or anything of that kind?—No, they are not, but they would probably be comprised under the term "brokers." The pawnbrokers, generally speaking, assist the police and magistrates in the detection of crime to a very great extent; in point of fact, without the ready co-operation of the principal pawnbrokers, I do not at all understand how the business of the police could be carried on in this country; we find them an extremely useful adjunct, and the men whom they employ as their assistants are amongst the most intelligent set of men that can be found. No one could be a managing clerk to a pawnbroker who had not talents certainly above the average.

777. *Chairman.*] Is there any suggestion which occurs to your mind, with reference

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reference to the improvement of the law which regulates the business of pawnbrokers?—No; no suggestion occurs to me, except that the whole Pawnbrokers' Act is an exceedingly ill drawn Act, and ought to be amended. It is an Act which it is very difficult in many parts to carry into execution, from the extraordinary tautology of it, as well as its verboseness. There is also one part of it which ought certainly to be corrected, which is with reference to whipping the offender, if the fine, that is for improperly pawning, is not paid within three days before the expiration of the punishment. In my humble opinion, no punishment of that sort ought to appear in an Act of this description.

778. There is one Act upon this subject, namely, the 39th & 40th George the Third?—Yes, only one.

779. Have you any further suggestions to make to the Committee?—Perhaps I might be permitted to add to my evidence, with respect to Rhuysslede, as it has been intimated that it is an institution for the reformation of *criminals*, that I spoke with reference to the distinction of foreign law upon the subject, rather than with regard to our own. The foreign law, with its usual precision of language, and also the civil law, distinguishes between *crime* and mere *offences*. Our law furnishes no such distinction, and it is frequently a point of great difficulty, and of great importance, to be able to say whether an offence is strictly criminal or not. Now, formerly, perhaps no offences were deemed criminal, except those tried by a jury; that is, felony and misdemeanor; but since the great extension of summary jurisdiction, it is difficult to say what is and what is not criminal; and attempts have been made to distinguish them, with reference to the punishment, but that is a test which not unfrequently fails; for a poacher, for instance, who is convicted, and who is required to find sureties for his good behaviour for six months, will be committed, with hard labour, if he cannot find them; while a man who commits a violent assault upon a police officer, which is a very serious offence, cannot be committed to prison with hard labour, and therefore the English law does not furnish a test in that respect, such as is desirable; but if the class of persons admitted into Rhuysslede be determined by the tests which the foreign law affords, I should say that that is not an institution for the reformation of *criminals*. No person is considered guilty of a *crime*, according to the Code Napoleon, which is the code received there, or according to the Civil Law, unless the crime is followed up by what is called an afflictive or infamous punishment, nor is he guilty of a *délit*, unless it is a subject for *correctional* punishment. The punishments of the police, merely for *contravention*, are entirely of a different character, and the institution at Rhuysslede certainly only admits those of the second and third classes, but in no respect do they admit those of the first class.

780. Mr. *Palmer*.] When you stated, that under the law, a person who committed a violent assault upon a police officer in the execution of his duty could not be sentenced to hard labour, I suppose you meant when he is not tried at sessions?—Yes.

781. You alluded to summary proceedings before a magistrate?—In the answer which I gave, I was not speaking of sessions, I was alluding at the time to cases disposed of before magistrates, and the Commissioners of Police seldom prosecute in cases of this description.

782. *Chairman*.] In an indictment before a jury, you are, of course, aware that a prisoner might be sentenced to hard labour?—Yes, I am aware of that.

783. Mr. *Palmer*.] Now, with reference to those marine store dealers, they are generally considered to be a class of persons who buy everything that may be brought to them?—Yes.

784. And they very often buy property of a very small amount of value?—That is so.

785. And consequently they are the receptacles generally of every article which may be pilfered by anybody?—Yes.

786. And the marine store dealer's shop is generally considered the easiest place to get rid of them, is it not?—Yes.

787. You say that your opinion is, that marine store dealers ought to be put under similar regulations with the pawnbrokers?—Yes.

788. And that they should be compelled to keep an account of every transaction; now those transactions being exceedingly minute, do you not think that it would be very difficult to keep an account of everything by way of buying and selling with them?—Yes, I am sensible that there would be a difficulty.

789. Then,

789. Then, in your opinion, would it not be necessary to bring them under the management of the police, so that they should be compelled to take out some kind of licence?—Yes, that might be very useful.

790. However small the sum might be that passed from them to the disposer of the article?—Yes.

791. The pawnbrokers, I believe, are all licensed?—I believe they are, but the Pawnbrokers' Act alone is so strong, that if they have no licence, any person carrying on that business comes very strictly under the superintendence and eye of the police.

792. By the present law, any person in the country may call himself "marine store dealer" if he hangs up a bit of old iron, or anything of that sort, outside his shop?—Yes: and even the Pawnbrokers' Act is so far defective that it seems to extend only to *loans* of 10 *l.*

793. *Chairman.*] To loans below 10 *l.*?—Not exceeding 10 *l.* I do not know that the Pawnbrokers' Act affects articles which they really purchase. I fancy a pawnbroker carrying on that business may buy things of any value. I remember an instance of a valuable pair of bracelets having been stolen, and sold almost immediately afterwards in a pawnbroker's shop, and where consequently there was no means of tracing them.

794. Mr. *Palmer.*] The Pawnbrokers' Act refers to loans?—Yes, it does.

795. Mr. *Fitzroy.*] Would not an Act of Parliament, such as you suggest, prohibiting the disposing of articles until 48 hours after they had been received, in your opinion, prove a very great inconvenience to the keepers of these shops, who are generally of a very poor description?—Yes; but you will recollect that I prefaced my suggestion by saying, if it could be carried out. It might be limited to some particular value, but it is particularly required as regards lead. The quantity of lead which is stolen in London, with regard to which the workpeople seem to think it no offence to take, and which is immediately melted, is of a very large amount.

796. Mr. *Palmer.*] You say that you think, if these marine store shops were put under some control, that that would take away the facility of disposing of the goods that these young criminals might have stolen, inasmuch as they would not have the facility of disposing of them?—Yes.

797. You mean that they would cease to a certain extent?—To a certain extent, I should hope that that would be so. I am not so sanguine as to suppose that you could entirely prevent the commission of crime in any way, and probably when you restrain it in one direction, it will break out in some degree in another; but still regulations may be made which might very materially check it by checking the mode in which stolen property is thus disposed of. If the Committee would allow me, I would like to qualify an expression which I used in another portion of my evidence on Tuesday last; it was with reference to what I stated to be the faulty administration of the Poor-law. I thought afterwards, in consequence of an observation of one of the Members of the Committee, that I had better have spared that observation; I only made that remark with reference to some of the relieving officers and others; perhaps I had better have said the *deficiencies* of the Poor-law; deficiencies which probably it would be very difficult to correct; but my notion was and is, with reference to the destitute children, that is mere vagabonds, such as have not been *convicted* of being rogues and vagabonds, and the illegitimate, and those who are thrown upon society without any home or means of subsistence, that it was by the improvement of the schools which are attached to the union workhouses, that is, by placing them at a distance from the workhouse, and making them Industrial Schools, that that class of juveniles might be effectually provided for.

Miss *Mary Carpenter*, called in; and Examined.

798. *Chairman.*] YOU are the author of a work intituled "Reformatory Schools for the Children of the Perishing and Dangerous Classes, and for Juvenile Offenders"?—Yes, I am.

799. Have you had much experience of the condition of the children of the lower classes, especially of those who supply our criminal population?—During the last 17 years I have been in the habit of continually visiting the families of the lower classes of our population, especially the respectable labouring classes.

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I have also been in the habit of visiting their schools, and attending to matters connected with these schools; during the last six years I have particularly directed my attention to the "perishing and dangerous classes," which are contemplated by the Ragged Schools. I have been very much struck with observing the strong line of demarcation which exists between the labouring and the "ragged" class; a line of demarcation not drawn by actual poverty, for I have found very great poverty in the children of the class connected with the higher schools I was just alluding to; far greater poverty than in the lower class. I should therefore consider that the line of demarcation consists in the utter want of control existing among the children of the lower class, and in the entire absence of effort on the part of the parents to provide proper education for their children. I believe that juvenile crime is entirely arising from the lowest class, and that in considering the provisions proper for the correction of juvenile crime, we must somewhat consider the condition of the whole class. I have heard brought before your Honourable Committee several causes which are incitements to juvenile crime, and I believe all of them to be very important.

800. Do you allude particularly to the evidence which has been given by Mr. Hill?—I allude to the evidence which has been given, both by Mr. Hill and by Mr. Paynter; I believe that the low sanitary condition of this part of the population is one of the causes of crime, and that among them are facilities afforded for dishonesty by the pawnbrokers, by the marine store keepers, and also by individuals who cannot in any way be recognized by the law, but who receive stolen goods from the children; and, besides, the immense number of places for unlawful amusement to which they have access unrestricted. I consider all these to be strong incentives to crime, but I believe that they could resist them if they had within them that moral principle which would guard them against yielding to temptation, and *that* they are entirely without.

801. You have, I believe, chiefly resided in Bristol?—I have resided chiefly in Bristol, and the evidence which I now give particularly relates to that city as regards my personal experience; but I have besides, during the last two or three years, studied the reports of benevolent institutions connected with juvenile delinquents all over the kingdom, and have corresponded with various individuals who have had opportunities of knowing their condition, particularly chaplains of gaols, and others. Therefore, the evidence which I give will be founded on the opinions which I have formed upon all these matters, partly from my own experience and partly from other sources.

802. Have you personally visited any of these institutions?—I have; I have visited Industrial Feeding Schools in Liverpool and in Manchester, and I have visited gaols in Bath, in Liverpool, in Preston, and in London, as well as in Bristol. I have also visited Stretton-on-Dunsmore and Redhill, and I have minutely inquired into their principle, as well as into that of Mettray, the Rauhe Haus at Hamburgh, and especially the American institutions of a similar kind.

803. From your observation do you consider the classes of children, from whom our criminal population is chiefly derived, to be increasingly removed from intercourse with the respectable portion of the labouring population, and uninfluenced by the schools intended for them?—I do very strongly so; I have formed my opinion independently of that of Mr. Hill, which he delivered in his evidence. I have noticed myself that districts, which were formerly inhabited by a number of respectable inhabitants, are now almost exclusively inhabited by the lowest class; the respectable inhabitants moving from them, and avoiding even entering into them if they possibly can. Those districts are, therefore, in Bristol, left absolutely and avowedly in possession of the lowest inhabitants. The district to which I particularly allude is in St. James's parish. There are an immense number of courts and alleys branching out of the principal streets. I have been in the habit, during the whole of the 17 years, of visiting at different parts of the day, and on different days, this district, and I have never once, during the whole course of the time, met a single policeman in any one of the bye-streets or courts; I have not, on an average once a month, met one in the principal streets. Even a few Sundays ago a scene occurred, which, perhaps, I ought to mention: just before divine worship, as I was passing through Lewin's Mead, the principal street, I found the whole street, within two minutes' walk of a large chapel, filled with a low crowd. I perceived that there was a fight going on in the middle of it, between a soldier

a soldier and a civilian; I with difficulty penetrated through it (I was not afraid to penetrate, because I have never in any way been molested in those parts), and at once sent to the station for help. They were actually obliged to send nine policemen in order to quell the disturbance, and yet, if I had not sent to the station, the place would have been left as it was. I mention this fact, merely for the purpose of showing what the inhabitants consider to be the ordinary state of the street on Sunday evening. It is not therefore to be wondered at that districts remaining in such a condition are the nests of crime. With respect to the fact of these classes being increasingly uninfluenced by the schools intended for the respectable portion, I would say that about 25 years ago a Sunday School was instituted, which I have ever since attended very closely. At that time the Sunday School was entirely filled with those who would now be considered the ragged class; so much so, that it was considered an annoyance to the attendants at the chapel for them to be introduced. At present this Sunday School does not receive any of those children; even if it would receive them, the children would not come. Another and even a more striking fact is, that one of the first British Schools in Bristol, the Red Cross-street School, which has been inspected by Her Majesty's inspector, and considered one of the best in Bristol, was established originally for what is now termed the ragged class. The district was selected for this school expressly because it was very low and degraded. Now, the school does not in any way touch the ragged class. The district is still quite degraded, yet none of those children are admitted into that school. This class is without the pale of such schools. Although I have given single instances, yet I believe them to be indicative of universal truths.

804. You have given them as illustrations, in fact?—Yes, I have.

805. Have you formed an opinion as to how far it would be likely that schools adapted to these children, who are now unprovided, would be injurious to those established for the labouring poor; would there be any difference of that kind exercised, in your opinion?—That fear, I know, has been felt by many, and therefore I have very closely observed the effects of them. I would state, that not only do these schools for the labouring classes prove ineffective upon the lowest children, but that the lowest children would not, if paid for at these schools, attend them. Mr. Hill pointed out the reasons, which I need not therefore repeat.

806. In those reasons you probably concur?—I concur fully in them. I have taken pains to ascertain not only theoretically, but practically, what is the effect of these Ragged Schools. (I use this term merely because it is one that is understood, but I decidedly object to it, nor would I continue it except for that reason.) I inquired of the master of this Redcross-street School what he conceived would be the effect of establishing a good Ragged School in his immediate neighbourhood. He said he should hail the establishment of such a school, and would promote it by any means in his power, on these particular grounds;—that at present the children frequenting these courts and alleys, and who are entirely removed from any control, are a very considerable annoyance to the children attending his school: that they insult them on their way there, being envious of them as a superior class; that the parents of many of his children object to sending their children on this account, which difficulty would be removed if the little vagrants were in a school adapted to them; and besides, he expressed his belief that instead of lowering, it would raise the tone of education; for that even if an education were given in this Ragged School, which he would wish to be established in his own neighbourhood, as good as the children were capable of receiving, it would only stimulate the parents of the class above not to let their children be inferior in advantages to the others. I also asked the master of one of the first-established infant schools in Bristol what had been the effect on his school of two Ragged Schools in his immediate neighbourhood. He said that he had found the average of attendants at his school diminished about 10 during the year, but that he had found the average through the year much more regular than it had been before. Before the establishment of these Ragged Schools, a very large number of children attended in the summer only, when the parents were able to pay, and were withdrawn during the winter. That class has left his school, and as the average is so nearly the same, it is evident that a greater number of the better class have come, and he has found the school improved by the withdrawal

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of the others. He has been able to give in it a better education. I asked him what he considered would be the effect upon a poor widow, for instance, whom he mentioned, living in a house with a careless negligent parent, who spent the money that ought to have been spent in the school in vicious indulgence; whether such a poor widow, who was striving to pay her pence for her children, would feel aggrieved by this other family receiving schooling gratuitously? He said that, on the contrary, he was sure that she would feel it a very great boon to have those other children removed from association with hers. The same opinion I have heard repeatedly expressed by the decent labouring classes, and I have invariably found that none have shown more strongly than they, positive gratitude for the efforts which have been made in raising these lower children.

807. Can schools of this description be at present aided by grants for the national education?—They cannot, practically.

808. Why not?—The school with which I am connected has been for four years endeavouring to obtain aid from the Committee of Council on Education. The Committee expressed the utmost willingness to grant it if we would comply with their conditions. We have been trying in every way to do so; but so little have we succeeded, that the inspector has not officially visited it, and has continued to do so only from his interest in the object. We have now got a small grant for industrial labour; very trifling. The reasons why the school cannot be aided, are expressed in a memorial which has been prepared by the committee of the Conference.

809. Do you allude to the Conference which was held at Birmingham?—Yes. That committee, as you are aware, has been holding sittings for the purpose of endeavouring to carry out the objects of that Conference; and the memorial has been prepared by them, which I am authorised by the chairman to make use of on the present occasion. That memorial will be laid before the Committee of Council. It embodies the different reasons why those schools positively cannot receive aid at present. Would it be your pleasure that I should read it?

810. Have you a copy of it?—Yes; I have a copy of it. I would say that this memorial, or a similar one, has been already sent up by the school to which I was alluding at Bristol; and a similar one is also prepared by a school at Aberdeen, which it is intended to send up.

811. Has the memorial, a copy of which you hold in your hand, been sent to the Committee of Council on Education, or is it proposed to be sent?—I believe it has not literally been sent; but it has been fully agreed upon by the committee, and is going to be sent.

812. Mr. *Adderley.*] Does that memorial appear in the report of the Conference?—No; it is not in the Report of the Conference.

813. *Chairman.*] Be good enough to read the memorial?—It is as follows:—"Your Lordships' memorialists represent, That an increasingly large class of schools called the Ragged Schools, or Free Day Schools for the destitute, intended for those children who by reason of the vice, neglect, or extreme poverty of their parents, are inadmissible to the existing school establishments recognised by your Lordships, do not and cannot receive any fair proportion of the Parliamentary grant for public education, under the existing regulations, yet, that for their maintenance in an effective condition they require it in a far higher degree. They cannot at present receive such aid, for the following reasons:—1st. The neglected condition of the children requires very peculiar qualifications in the master, and not only would it be impossible for many an excellent Ragged School master to go through the examination required by your Lordships for certificated teachers in ordinary schools, but were he able to do so, such capabilities would by no means test his fitness for his peculiar duties, while other qualifications of a very different kind are indispensable. The masters, therefore, are not aided. 2d. The arrangements respecting pupil teachers and stipendiary monitors, are inapplicable in Ragged Schools. Such arrangements are devised for the purpose of training teachers. It cannot be your Lordships' desire to train teachers for the next generation from the most degraded children of this; and even were it desired to form teachers from this class of society, the want of early training, no less than the character of the instruction given in Ragged Schools, would render the children trained in them unable to pass the examination which is required. 3d. The industrial training given in Ragged Schools,

Schools, which is a most important part of their system, tends to form habits of industry rather than to teach a trade; and though its results have been found to be very beneficial, yet the fluctuating nature of such schools prevents that progress which your Lordships' regulations require in the case of ordinary schools. 4th. The buildings for such schools are necessarily in poor parts of towns, and however well adapted they may be for the purpose, they will seldom be such as would receive a grant from the Committee of Council under existing regulations. 5th. The schools themselves must necessarily be in such an educational condition, that they would hardly be considered entitled to receive grants of books and apparatus under your Lordships' present regulations. Ragged Schools or Free Day Schools for the destitute are therefore at present virtually excluded from aid. They perform, however, a very important work, by acting on a class as yet uninfluenced by religious or general education; but such schools, to be of use, must be efficiently conducted. To be so, a much larger amount of support is required than suffices for the maintenance of ordinary Day Schools, inasmuch as no pence are paid by the children, and a larger staff of teachers, many of them industrial, is required. The most strenuous efforts on the part of benevolent persons have hitherto failed to raise an adequate income for such schools, or to carry them on as they would desire. Your memorialists would therefore respectfully but earnestly pray: 1st. That masters who give satisfactory proof that they are fitted to carry out the objects of Ragged Schools be aided by a grant from your Lordships. 2d. That monitors articled for two or three years, and undergoing an examination calculated to test their fitness for assisting in these schools, should receive, as in ordinary schools, a reasonable payment for their services, and that a greater number of them should be allowed. 3d. That your Lordships' conditions in respect of buildings, industrial training, and apparatus, should be so modified as to meet the circumstances of such schools." I would say that I am not aware that any other school, except that of St. James's Back, has been yet regularly inspected as a Ragged School by Her Majesty's Inspector, and it is therefore impossible to say how far this would meet all emergencies; but I believe it would be found to do so, and I am quite sure that the same difficulties will apply to every Ragged School that are expressed here.

814. Has that school been inspected regularly?—It has been inspected regularly the last four years. Mr. Fletcher inserted in his report to the Committee a long account of the school, although he perceived that it could not be tested by the ordinary criteria. In the remarks that I make, I would beg to be understood as not making any objection to the arrangements of the Committee of Council, for I believe them to be exceedingly wise, and very well adapted to the British and National Schools, of which I have had practical observation in one or two schools.

815. Have any suggestions occurred to you as to the manner in which the lowest class can be best brought under school influence?—I believe that the schools, such as the St. James's Back School, will influence a class who are entirely below the British and National Schools, and are as yet uninfluenced; but I do not believe they influence the very lowest; unaided by the law, they cannot be brought to do so. I have noticed, in the progress of Ragged Schools, that by degrees the class attending them has become better than at first, that there are not nearly as many attending these schools of the directly vicious class. The master of our school considers that about one-third of the children in the school are connected, either directly or indirectly, with the criminal class; while fully two-thirds of the children outside this school, if not more, are directly connected with it. Therefore such a school as this cannot touch a certain class, and does not touch it. I believe that the class below can only be touched by such police regulations and such authority from the magistrates as will apply a certain degree of compulsion to them.

816. Do you consider children convicted of felony or other dishonesty as forming a distinct class of themselves?—No, I should not consider them as forming a distinct class; that is, I do not consider that they are different in any respect from the bulk of the children whom I have been describing. I do not consider them at all worse in themselves. In the children of our school there are many who have been known for a length of time to be thieves, and who have been in the constant habit of pilfering. They have not been apprehended, it is true, but I do not consider them as worse after they have been apprehended than they were before, excepting only the brand which is attached to them by society.

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Some thieves, of course, may be considered as absolutely thievish by disposition; I believe that such are to be found in all classes of society. I know that they are found in the highest class, and amongst the labouring poor I know that they are continually found. But then they are treated differently from what they are in the lowest class. They are not exposed to prosecution; those on whom they have committed the theft feel that prosecuting them would place them in a degraded class, and therefore they try every means in order to avoid doing so; but in this lowest class, the moment a child is detected of theft he is prosecuted. I believe that if the criminal class of the lower part of the population were not placed in the circumstances in which they are, and were not exposed in the manner in which they are now, they would become very different. I base this remark upon observation. I mentioned that about one-third probably of the children in the St. James's Back School are connected, directly or indirectly, with the criminal class. A great number of them are known to be thieves, and to be accustomed to constant pilfering out of doors, and yet we never have a theft in the school; we never take any further precaution to protect our property than would be adopted in any other school; we believe that the children feel placed in a different position in respect to society when they are in the school. When they are out of school they are in a state of antagonism with society, and consider that everything is lawful prey to them if they can but get it. When they are in school, they know and feel that they are under a bond of union with those who are trying to do them good, and therefore they do not feel tempted to injure them. I believe this observation will be borne out by the experience of other Ragged Schools, more or less.

817. Have you formed an opinion as to how far the present system of treating juvenile offenders deters or reforms them?—You have already had evidence to a certain degree upon that subject. Before the Committee of the House of Lords in 1847, and the Committee of the House of Commons in 1850, evidence was given by gentlemen who were highly qualified to form an opinion upon the subject, and who proved very clearly that it does not. I have also had the very strong evidence of Mr. Carter, of the Liverpool Gaol, who will doubtless explain his views to the Committee; I would therefore restrict myself to my own observation. In the year 1850 there were 25 boys who were convicted of theft in our school. Of those 25 boys every one has fallen into a vicious course, except those few over whom we had obtained a moral influence, and for whom we made efforts as soon as they came out of prison;—not only so, but boys who before being put in prison showed a disposition to be influenced, and came more or less to school, after coming out, showed themselves utterly careless and hardened; we know that most of them are positively enlisted in the directly criminal class, leading an irregular life. I have also observed particular cases; I will mention one. One little boy, J. S., is mentioned in the police reports in the year 1850 as already "a most hardened character;" he had been two or three times in prison; he was then nine years old. During the next summer he was three times taken up within a few months. He showed, therefore, that he was not in the slightest degree deterred, nor was he restrained from his criminal practices by the treatment which he had received, although we used every effort in our power out of prison to lead him right; the child was removed through the kindness of Mr. Turner, of Red Hill, to the Philanthropic Establishment last summer, and I hear that he does not show any decidedly criminal propensity, idleness being his chief fault. That little boy's brother, A. S., was three years ago an accomplice of a youth older than himself in housebreaking. That youth was transported, and this brother was allowed to turn Queen's evidence. He was not in the slightest degree deterred. Others of his companions have been transported; he has continued in the most determined daring, often escaping conviction by his extreme skill, and when imprisoned becoming only harder afterwards. His character among his associates may be learnt from this fact: on one evening he was in school; the master was exhorting them on the subject of the future life, and the consequences of sin. The boy next to him said, "If any one will go to hell you will," which he received as an acknowledged fact. That boy is now committed for felony. He has not been deterred, but rather hardened. I might cite numerous similar instances. I therefore believe most strongly, that *the present system renders every boy who is imprisoned far more dangerous to society afterwards.* I do not believe that this family is what would generally be termed

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termed a criminal family. I have heard that the mother used to receive stolen goods, but have not heard it proved. At any rate, the father and mother have both expressed the utmost grief at the conduct of their children. The sister attended the school, and did not show those bad propensities; and the father told me that he was well known to the magistrate who committed his boy, and had told him that he had never been brought before a justice, and that the magistrate acknowledged that he knew him, and that he did not believe that he had. I think, therefore, that the influence of the parents was quite with us; that, in fact, they co-operated with us in our efforts to bring the children to school; but they were of that low and degraded character, that their own mode of life would give the children a strong tendency to vice. If the Committee will allow me, I would bring another instance from the police reports of the last few months. I find that a little boy, W. T., was charged with stealing coal, which would imply, to most people, a degree of poverty, because coal is not so convenient to steal as other things. He was sentenced to one month's imprisonment, and to be once whipped: he was about nine years old. This was on the 21st February. We find on the 10th April, "W. T., a wretched looking little boy, about nine years old, was charged with stealing a piece of coal. He complained that his father and mother-in-law did not take proper care of him, and expressed a desire to go to the workhouse. The magistrates therefore dismissed the charge of theft, and desired an officer to accompany him to the relieving officer." On 1st May, "W. T., aged nine, and J. T., his brother, aged 13, were charged with stealing coal. The prisoners have been both previously convicted, the youngest two or three times, for acts of theft. Their father," (and I beg to have this particularly noticed), "*who was stated to be in respectable employment*, was interrogated by the magistrate. He said they were ill-disposed children, especially the youngest, whom he had tried every means to reclaim;" he gave as a specimen of the means, "correcting him with a rod, and even chaining him to a bedstead; they had plenty of food, and had no reason for stealing from any one." The same mode of treatment was adopted by the bench which had proved ineffectual in the home. "The magistrate committed them to the House of Correction for two months, and to be severally whipped." Now in any remarks I make I would beg to be understood as throwing not the slightest blame upon the magistrates. They acted, of course, as they felt they were compelled to do by law. Another, "T. V., an incorrigible little vagabond who was only released from Bridewell yesterday, was brought up for stealing." The police report says, "The prisoner, who displayed the coolest hardihood of demeanor, was sentenced to six weeks' hard labour, with the *piquante* addition of a whipping." The terms in which that is expressed show the usual feeling towards these children. W. L., another boy, had just come out of prison from a two months' imprisonment in Bridewell. The magistrate said that as "two months' confinement had done him no good he would try the effect of a longer time," and committed the prisoner for three months' imprisonment. I should think that such instances would show the opinion of the magistrates as to the utter uselessness of the imprisonment of these children. I would make a remark upon the treatment by the parents of such children; I know it is felt that in many cases the parents do all they can. We found that W. T.'s father said that he had done all he could. A boy of the name of E. P. was dismissed from Bridewell a few weeks ago. That boy's father said that he had used every means in his power to correct him. I learnt that he carried about a rope in order to chastise him. The father was excessively indignant at the disgrace brought upon him by this boy; he treated him with such severity, professedly in order to correct him, that the boy would not remain at home; he slept in a cask or anything he could find; occasionally came to his home to obtain a little food, which the father forbade the mother to give him; and the father told me as a sign of the extreme wickedness of the boy, that he had said that if he would not give him food he should be obliged to steal. Now the father is in very good employment; he has two workshops and has a very good business, but his children are in the Ragged School, and in a state of great apparent destitution. In the same week another boy came out of Bridewell who had been in for the third time, as this boy E. P. had been. That boy's father pleaded total inability to do anything for him, and the boy is constantly in rags, though the father has learned a good trade. I have heard from the Church Reader in that district that the father lives in a state of the utmost immorality, and that there is no

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possible chance for this boy but a life of the blackest crime. Such cases show that it is from the mismanagement or low moral condition of the parents, rather than from poverty, that juvenile crime flows.

818. Now, to return to the subject of the Reformatory Schools, have you considered the principles upon which it would be most advisable to establish such schools?—I would, first of all, consider the moral principle upon which I would establish them: that would be entire separation of the child from his evil associates, and placing him in such a position as would be likely to correct him. I should not punish the child for his past conduct, but rather enable him to make "retribution," if such a term is desired, for the injury he had done to society, by placing him in society as a good and excellent subject. I believe, then, that the first thing would be to remove him entirely, and in the next to place him in such a condition as that he would have his good qualities called up, all his powers healthily exercised, and his will enlisted to co-operate with those who were trying to reform him. In the prison the child's will cannot be enlisted; if he submits, and behaves well, it is because his will is broken down. A child never will behave well in prison from any moral sense; I have, in point of fact, found that those who behave best in prison are really more likely to do badly when they come out; those whom I have been most able to act upon have been somewhat rebellious in prison. I would, then, enlist the will of the child in the work, and without this I do not think that any true reformation can be effected. I would next consider what is the nature of a child, as a child; we must not treat him as a man. A child is, physically and spiritually, in a very different condition from a man. That evidence has been distinctly laid before the House of Lords by Dr. Baly, the physician of Millbank Penitentiary; and I cannot do better, if I may be permitted, than quote his words, because they express my own conviction.

819. From what page are you about to read?—It is page 298 of my work; I am there quoting Dr. Baly. "At the ages of 13, 15, and 16, at which those cases of insanity occurred, *youths are in an excitable state of body and mind; they have not the power of reflection, but they feel intensely;* and it seems to me dangerous to subject them at such a time to such a punishment;" that is, solitary confinement. Now, we have heard from Lieutenant Tracey, the last witness, that he found picking oakum a very useless occupation for the boys; that their minds are not enlisted in it, that they do not take a pleasure in it; if they did they have no object in doing it;—but when a boy is engaged in labour which calls out his varied powers, in which besides he has an object in view, and where his excitability is worked off,—his will is enlisted in the work. I had a striking instance of that in the case of seven boys who, during the last year, have been apprenticed to various trades, all of whom had been known thieves. I have never apprenticed or recommended a boy, without privately informing the master what had been his previous conduct, at the same time expressing my hopes of his reformation. A boy who was three times convicted of theft during three months, last summer, has been apprenticed to a shoemaker, who gives an excellent report of his honesty, and attention to his work. The other boys have been notorious as thieves, and their masters from whom I continually inquire respecting their conduct, give most excellent testimony; they are able to trust them, and do not complain of the slightest tendency to dishonesty, and I believe that it is only that their powers are called up and their interest enlisted, they at the same time being under that known restraint which apprenticeship gives; for I do not believe that these boys would have continued to work in the way that they have done if they had not known that they were under the legal power of the master. I would then call out the energies of the child, and I would act upon his spiritual nature. I believe that to be perfectly indispensable. I do not believe that any mechanical appliances, however excellent (and I know that all mechanical appliances in the gaols are contrived with the best intention to carry out the object proposed), alone can act upon the child. We must act upon his spiritual nature and make him co-operate in the work of reformation. He should then be treated with kindness; he has been hitherto feeling himself, and has been treated as, an enemy to society; he has acted, as the French say, *sans discernement.* I do not say that he does not know that he is infringing the laws; he knows that; he also knows that the policeman will catch him if he can; but he does not perceive the moral bearing of his conduct upon society; he is not bound to society; he has never received any attention that he knows of from society;

society; he has been brought up most commonly in an atmosphere of vice. He perhaps has been fulfilling one of the most important commandments, that of obedience to parents, for if his parents have not actually trained him to vice, they have encouraged him, or at any rate they have not punished him for it. He has, therefore, been acting without any discernment of the true nature of his position. He must now be bound to those who are with him from a feeling that they have his true interest at heart, and that being the case, he will more readily submit to the discipline, which will be quite necessary to exercise it, and which is intended for his good. This should be the general principle of every Reformatory School, and I believe it will be found that all schools which have been at all successful have been carried out in this way, for we shall find that in every establishment of the kind there have been individuals, one or more, who have given their heart and soul to the object, and have endeavoured to act upon the spiritual nature of the child.

820. Are there any other suggestions that you think it material to bear in view with regard to the formation of Reformatory Schools?—Yes, there are several which are derivable from what I have just been stating; I think, for instance, that it is absolutely necessary that individual action should be as much called into operation as possible in such schools. I think that there should be that degree of confidence shown to the children which will make them feel that they are workers together with their teachers. They must feel that they are undergoing what may be termed a severe punishment by being taken away from their companions, by being obliged to submit to regular discipline, which is utterly objectionable to them; and I know that such will be felt to be a severe punishment by those whom we most desire to reclam. Those boys that I have mentioned would feel it a punishment at first to submit to such a discipline. I would not object to really severe measures being resorted to if they were found to be necessary from the conduct of the child, but that every thing should flow from it as a necessary consequence. Then such individual action being brought to bear, I feel that it is very important to leave the religious management of the child to the discretion of those who are guiding him, and I would make that remark with respect to all the schools that we have been speaking of. The reason of this is obvious; no persons can carry out other people's religious convictions; therefore if individuals are to work they must work out their own convictions; and, at the same time, we may safely leave that to them, because I firmly believe that none but really religious persons would undertake this work in any of the schools of which we have been speaking. Although it can be shown that, upon the principles of political economy, such schools are wise, and that it is for the general interests of society that they should be carried on as well as possible, yet I do not believe that any will persevere in really working in them without strong religious convictions. We observe that in Mettray, where the institution is a Catholic one, and in the Rauhe Haus; I do not know what is the religious belief taught there, but still it is not likely to be the same as in the institutions in England, where they have the Church of England service; in America persons of all denominations co-operate together in carrying out these institutions.

821. In your opinion, would the system which you have indicated be open to any objection on the ground that it does not furnish means for the due correction of juvenile crime?—That is a matter I know that has been felt strongly by many individuals. But we ought in the first place to consider the position of these children in regard to society. I consider that society owes retribution to them as much as they owe it to society, or in fact more, for we are told in the Sacred Volume, that "To him that knoweth to do good, and doeth it not, to him is sin." (*Jas.* iv. 17.) If society leaves them knowingly in the state of utter degradation in which they are, I think it absolutely owes them reparation far more than they can be said to owe reparation to it. But leaving that alone, I believe the child will make a better reparation, as I before said, by afterwards sowing the seeds of virtue, than by scattering those of vice, which he otherwise would do. I believe firmly that such a system as I have been suggesting will operate far more strongly to deter from crime, if anything can deter, than the present system. Now, when a boy is convicted, his schoolfellows or his playmates jokingly remark he has got a month, or he has got two months, or he has got three months. Transportation holds forth no terrors to them, for these children are exceedingly skilful and penetrating; when the master announced to the St.

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James's Back School that their little schoolfellow, at 10 years of age, was sentenced to transportation, by way of impressing them and endeavouring to deter them from pursuing a similar course, they at once inquired whether he would be sent where Jemmy S——, the other little boy to whom I was alluding, as having gone to the Philanthropic, was gone. When I myself endeavoured to impress them with the seriousness of the punishment which he had, (I could not of course conscientiously tell them that he would be sent beyond the seas,) it did not, therefore, produce any effect upon their minds; it turned out that the little boy was sent under the direction of the Government to the same place.—I therefore think that the present system by no means deters, and that if boys knew that their schoolfellow was secluded for two or three years, according to his conduct, that he was withdrawn from his liberty, that he was compelled to work without wages, which they think a most dreadful thing, not only would they be far from thinking it a "bonus on crime," but they would dread such a punishment infinitely more than a conviction, the effects of which they would very likely escape. Convictions would be far more frequent than at the present time, because it often happens that many persons abstain from prosecution now on the ground of knowing that it will not do any good to the child, and will brand him for life, probably; but if it were known that a child would be placed where he would be pretty sure to be reformed, he would be a great deal more likely to be convicted than at present. With respect to the parents, I believe that compulsory separation from their children would be a very great punishment to them.

822. Will you be good enough to point out in what way you think schools, the principle of which you have laid down now, might be most advantageously carried into practical effect?—In the first place, as a general principle, by enlisting as much as possible individual help, and carrying legislative enactment as little as possible into the operation of these plans; because it is individual action on the human soul, which I believe to be far more efficacious than any other. At the same time it is necessary to have certain machinery in order to carry out this individual action; I would, therefore, in the schools for those who are not already convicted, ask only for such change in the arrangements of the Committee of Council as would enable all classes of the population equally to share the benefit contemplated by the Parliamentary grant. At present only a portion of Her Majesty's subjects can possibly share the benefit. I would, therefore, have those extended so as for all equally to share them; and, I think, that such a change would affect what we have called both the Free Day School and the Industrial Feeding School. I do not think that it would be right to make any public arrangements for feeding the children; it would be contrary to all sound principles of political economy, it would be open to all sorts of evils, and it would be a great encouragement to the vice of parents. I would, besides, enable magistrates to take hold of such children as do not at present come under any school influence, and cannot be brought under it by any voluntary action, as has been done in Aberdeen; it is quite a disputed point whether the magistrates do that quite regularly or not; but whether they do or do not, I know that magistrates believe that they cannot do it by the law of England, and therefore of course will not do it. It is necessary therefore to enable them to know that they can, and that if they can, they ought to do it. In the next place, there should be such alteration in the parish regulations as would enable, or rather oblige the parish, in all cases where there is a claim upon it (I confine myself to that), to pay the sum which is now paid to dissolute parents, who squander the money on their own indulgencies, to the Industrial Schools, for the maintenance of the child there. Such cases are common in large towns; I could mention many, but select one I know in Bristol, where the mother was receiving parish pay for three boys, and she continued to receive it while two of them were in prison; she is now receiving it for the youngest, who is pursuing exactly the same course which has led his brothers into prison. I would therefore advise that the parish, where it can be shown that the money is thus misapplied, should pay the allowance to the school; that plan is strongly advocated by the Aberdeen, and also by the Glasgow Schools; it has been adopted by two or three parishes in Glasgow, but it should be made compulsory on all. It would do positive injury to establish generally such schools as the Feeding Industrial Schools without compulsory attendance; that is shown by the experience of Aberdeen, for the Industrial Feeding Schools there did not diminish vagrancy till there was this strong action,

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action, and in the very year in which it began there was a diminution of one-half of the number of vagrants. Perhaps I had better read it, because it will sound incredible otherwise: "In 1841 there were 328 vagrants, and 61 juvenile delinquents in the county of Aberdeen; in 1844 there were 345 vagrants, a larger number, although the Feeding School had been in operation. The compulsory action began in May 1845; in that year the number of vagrants fell from 345 to 105, and in the next year the number of vagrants fell from 105 to 14; in the year 1850 only two could be found throughout the country." Now that is a proof which cannot be disputed. There were 61 delinquents in the year 1841, and only 22 in the year 1850; but then I should mention that the county of Aberdeen is divided into various districts; and the governor of the gaol says, that he believes the convictions have taken place where there are no Industrial Schools. Now, I firmly believe if such magisterial vigilance, and if such a degree of compulsion were exercised in such large cities as Bristol, it would produce an amazing effect in checking juvenile delinquency; and not only so, but instead of having the effect of leading parents to be more careless of the education of their children, it would have a contrary effect. I asked the master of the St. James's Back School what he considered would be the effect of establishing Feeding Industrial Schools in the midst of this very bad part, which he was lamenting to me he could hardly touch by any means, with compulsory attendance and hard work for a large portion of the day; he said, "It would have the immediate effect of making my school completely overflow;" he knew that the parents and the children, which is perhaps of the most importance, would far prefer their going to the Free Day School to going where coarse food would be given them with compulsory labour at the Feeding Industrial Schools. Then, with respect to the great principle carried out in the Reformatory Schools, it is necessary of course to draw a broad line of distinction between the children absolutely convicted of crime and those who are not; we cannot call rambling, playing in the streets, even in a rude, wild manner, criminal. We are now to consider children who have been convicted of dishonesty or other serious offences; —I believe that these, both for the public safety and for their own good, should be withdrawn from society. It may occasionally be that a first conviction merely indicates an accidental state of mind, yet, practically, I believe that very few cases will occur in which even a first conviction of such a kind is not a type of the general condition of the child, and of the culpable neglect of its parents. A penal line must then be drawn, and such schools must be far more distinctly under Government interference and Government control, than any others; but I would carry individual action into these also. In America the plan has been tried for above 20 years in a great number of states. I find from the American Almanack that there are "State Reform Schools" in the following states: Westborough, Massachusetts; Providence, Rhode Island; Connecticut House of Refuge, New York; besides, I learn from printed reports, in Philadelphia, Cincinnati, and Rochester. In all these towns the schools have been established on the principle which I would advocate here, namely, individual effort has commenced them, from a feeling of strong conviction of their importance. Various individuals have subscribed towards them. These people represented the matter to the city, and have obtained an Act of co-operation from the city and aid from the city's funds; in some cases, from the funds appropriated to the common schools, which extensively exist in America, and in other cases from other city funds. They then applied for aid from the State, which has been granted. These schools are under the management of a board of guardians or trustees; these trustees are thus selected in the state of New York, which seems to carry out the plan most completely, eight from the subscribers, eight representing the city, and eight representing the state; in other schools, it appears that the managers are not positively members of the State Government, but that they give us reports to the state and to the subscribers generally. If the Committee will permit me, I will mention that an abstract of these reports, which I think will be exceedingly valuable, will be kindly prepared by David Power, esquire, the recorder of Ipswich. I would therefore advise that in our own country also, all individuals who are willing, and feel the necessity, should be encouraged to begin such an establishment, and that after showing that they are conducting it on such principles as would be sanctioning and carrying out the objects of the statute, they should be assisted greatly by city rates, in default of the parent paying, and by the State, as it now supports criminal children in prison. In cases where no individual

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efforts appear ready to come forth, it should be imperative upon the city to establish such schools. I would not venture to enter into any particulars respecting the management, but only state the general principle. I believe, however, that if it were known that such power and such aid would be given to such an institution, in many places these schools would be established. I can positively say, that in Bristol, at this present moment, there are admirable premises, and individuals who are most anxious to carry out such a purpose, who are solely deterred by the fear of inability to meet the expense unaided, and by the knowledge that they have not the power of detaining the children there, or authority to have them in the school instead of the prison.

823. What legislative enactments would you point out as necessary to carry out the spirit of the recommendations which you have been making with regard to the Reformatory Schools; are they enumerated at page 349 of your work, which I have now lying before me; you will observe the paragraph, "if these four results are true ones, legislative enactments will be needed to carry the spirit of them into operation"?—In the first place, authority should be given to magistrates and judges to commit such children as are brought before them to a Reformatory School which has been authorised by the Government, instead of sending them to prison. I would not at present advise that it should be imperative upon them to send all such to prison, though I would contemplate that in a short time it would be universally done. I would not advise that at the present time it should be imperative, because I do believe that, owing to the neglect of society, there are a great number of boys at the age which it would be contemplated by these enactments to send them to school, who are in such a hardened and vicious condition that it might be needed to employ some more forcible coercion upon them, such as is now employed in Parkhurst. I think it is very possible that that may be so. Then, authority to magistrates to send them, at their discretion, to these Reformatory Schools; in the second place, funds to be supplied for the support of these schools from the parent towards the maintenance of the child, which of course must be at the discretion of the magistrate, or to be fixed by some local arrangements, and in default of the parent, the parish. And funds from the Government towards the support of each child, as now in prison, and towards the general establishment expenses. This is the plan which is adopted at Mettray, where a large sum is given annually towards the expenses of the establishment, and a sum per head for each child, and the remainder is made up by voluntary contributions. I should add, that wherever aid is given, there should be close Government inspection of the schools, to see that they are carried out in such a way as to effect the end proposed. Such inspection should be conducted, not in an interfering spirit, but rather as is done by Her Majesty's inspectors of the Dissenting schools, who do not inquire into the religious teaching of the child, but only whether the managers are satisfied that it is well carried out, and who minutely investigate whether the ends proposed by the grants are being well carried out, without interfering in the regular arrangements of the school.

824. I understand you to say that you would have a Government inspection with regard to each of the class of schools of which you have been speaking?—Yes, a close Government inspection in all the schools aided. I have been connected with a Dissenting school where there is the highest appreciation of the value of the Government inspection; in fact, the testimony which we have borne to its value has induced many other schools to solicit the same. In the case of these schools, the aid given has not diminished the expense of the schools to the subscriber, but it has very materially enhanced the excellence of the schools; but I should contemplate a much larger share being given to the Ragged or Free Day Schools, for the reasons that I have assigned.

825. Allow me to refer you to page 44 of your book: do you find you have enumerated there the suggestions which have been made from time to time by magistrates and Committees in the Houses of Parliament with reference to this subject; you seem to have formed a summary there of what has been done?—Yes, I have.

826. Do you find that, in the year 1844, there was a committee appointed of justices in the county of Middlesex, to report their suggestions for checking the growth of juvenile crime?—Yes.

827. Petitions founded upon their Report were presented to both Houses of Parliament?—They were.

828. Was

828. Was this a part of the recommendation, that the magistrates of Middlesex at the time recommended an Act which should provide that, "An asylum should be established by legislative enactment, for affording religious and moral training to such children of the destitute and dangerous class as may be brought before the local magistracy, and proved on oath to be in the class specified, and destitute of proper guidance; that this asylum should be under the control of the visiting justices, subject to the approval of the Secretary of State for the Home Department, and to Government inspection; and that the cost of erecting and maintaining the establishment be defrayed out of a county rate, the parents of the child being compelled to pay for his maintenance as directed by the Poor Law Act;" you seem to have extracted this from the document itself?—Yes, from the document itself, which was in the Appendix to the House of Lords' Report.

829. There were suggestions laid before the Committee of the House of Lords in 1847, by Mr. Frederick Hill, were there not?—Yes, I fully accord with those views; I do not accord in every part with the proposal of that petition.

830. You accord, however, with the views of Mr. Hill, as expressed in the extract there, which I am about read?—Yes.

831. That "If on the one hand, by the general introduction of industrial occupations, education were made as cheap as I believe it may be rendered, and its advantages made apparent even to the most ignorant; and on the other, a parent were held responsible for his child's support in prison, if the child should afterwards fall into crime, as I have ventured to suggest in some of my reports, a very powerful motive would be given to every parent to attend to the proper education of his children, instead of allowing them to grow up, as is now too often the case, in idleness and ignorance, without the means of earning an honest livelihood, or the power of resisting temptation;" do you concur in that?—Entirely. I believe that it would be a very strong stimulus which does not now exist; but, on the contrary, the present system is a premium to parents to have their children removed into prison. I accord with the principle of the parent of the child being compelled to contribute; but I should not wish that such a Reformatory School as I have suggested should be necessarily under the control of the visiting justices, subject to the approval of the Secretary of State for the Home Department, because, though they may be exceedingly sensible, and of course extremely anxious to perform their duty, yet they are not necessarily acquainted with the proper system of reformatory action, and I conceive that they would have very different ideas of what was necessary from what the managers of the schools would have. Some persons judge of the excellence of a school and the condition of the children by the degree of mechanical order which is observable. Others may judge in a very different manner, and believe that too great a degree of mechanical order may be injurious. I therefore think it would interfere with the true action of the school, to make it imperative that it should be under the control of the visiting justices, though they might form a part of the committee of management.

832. I observe that, among other authorities, you cited the recommendation of the Committee of the House of Lords in 1847, to which this subject was referred?—Yes, I did.

833. You have extracted this from the report of the Committee: "Very important evidence has been given in favour of dealing with such offenders, at least, on first convictions, by means of Reformatory Asylums on the principle of Parkhurst Prison, rather than by ordinary imprisonment; the punishments in such asylums being hardly more than what is implied in confinement, and restraint, and reformation, and industrial training being the main features of the process. Without going beyond the principle which should be followed on this question, the Committee are disposed to recommend the adoption, by way of trial, of the Reformatory Asylums as above described, combined with a moderate use of corporal punishment." That you have copied, I presume, from the Report of the Lords?—I have. I would make an exception upon the words, "on the principle of Parkhurst Prison," because I would beg, with great deference, to say, that I think the principle of Parkhurst Prison is entirely contrary to the principles afterwards expressed by the Lords: "the punishment in such asylums being hardly more than what is implied in confinement and restraint, and reformation, and industrial training being the main features of the process." That I perfectly accord with, but from what I have said before, I think

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I think it will be evident that I do not believe that reformation is compatible with the general system adopted at Parkhurst. I have not visited Parkhurst; I only, therefore, would speak from the report of the governor of Parkhurst himself, which was presented to both Houses of Parliament.

834. When was that report presented?—I think the report was presented in the year 1850. It is in page 319 of my book. The governor states, "The number of attempts to escape has been very large this last year (1849); 34 prisoners in all have run away, 30 of them while at farm labour. All of them, however, were speedily recaptured. None of the boys who made those attempts had, so far as I can ascertain, any hope or expectation that they would really be able to secure their liberty, but having found that two boys who had run from the land, and had committed a robbery previous to their recapture, were removed to Winchester Gaol, they determined to try to get relief by such a course of proceeding from the restraint and discipline of Parkhurst, which they found to be intolerably irksome. Having no power of forethought or rational consideration, they yielded to the impulse of an unfounded notion that any change from Parkhurst would be for the better, even to be put in prison; for they positively dared the officers to take them, and turn to the theft they had committed, saying, 'You must take me to Winchester.' I should say that such a system, without one word more, showed that there was something radically wrong in it. I do not throw the slightest blame upon the officers. I have no doubt that they carried out the system as well as they could; but the whole principle I consider positively adverse to reformation. In the State Reform School in Westborough, it was supposed by many that it would be necessary to have walls. The Government positively objected to such a system, and only three boys out of 300 during three years ran away, though all were often on the farm at once, and those were employed within the walls.

835. I presume you speak of Parkhurst, as it was in 1849 and before that time?—Yes.

836. Have you any means of knowing whether any change has taken place in Parkhurst since that time?—I have seen a later report of Parkhurst; I cannot say whether there have been any changes in the management, but, as far as I have had the means of ascertaining, there have been no changes in principle. I have even heard of soldiers with loaded guns being obliged to watch the boys while they were at work, and I know from the authority of residents in the island that there is a constant dread of their escaping; that many are prevented from going to places of public worship on Sunday evening, lest they should find on their return these boys secreted in their houses. I therefore think that such a system has something radically wrong in it. It is to be discovered what it is, but it will be seen from what I have said that such is the fact.

837. You have not visited Parkhurst yourself, I believe?—I have not. I merely judge from the effects which the governor says he observes; he says also: "That there has not been that evidence of a general and growing desire to improve in moral conduct and industrial energy which I anxiously look for, and the apparent absence of which causes me much disappointment. Prisoners are generally indolent, boys especially."

838. Where are you reading from?—Page 321. That is a quotation from the governor.

839. That is evidence which the governor gave in the year 1847, before the Lords' Committee?—In the Report for 1849.

840. It is a description of the state of things then, or before then?—This is the last report for 1849, given in 1850.

841. Have you any evidence which has come before you of the state of things at Parkhurst since that time?—It is since that time that the conflagrations have taken place, I believe. Perhaps you will say that a prisoner's evidence is not good evidence, but I have very fully conversed with one of those very boys who escaped from Parkhurst, and who is now in confinement, for escaping under sentence of seven years' transportation. I do not know whether it is proper to refer to that; perhaps it would be better not to do so.

842. The official information that you have upon the subject appears to come down to 1849, and to comprise that year?—Yes; at least what I have quoted.

843. Will you be good enough to inform the Committee what, in your judgment, are the defects of the system?—I consider the radical defect of Parkhurst is, that it is, in fact, a juvenile prison, not, as was recommended by the House of

of Lords, a school; and that it acts entirely on the principle of compulsion and restraint, which is entirely fatal to any action of the will of the boy; I conceive that schools carried out in that manner will not produce the effects that I contemplate.

844. Mr. *C. Legh.*] I understand you to say that you objected to the necessary inspection of the visiting justices?—Necessary inspection.

845. You objected to their control; what local control would you suggest?—I would suggest such a control as has been exercised in the United States; a committee, or board of trustees or managers, representing the subscribers, and with some members of the local government in it.

846. Now, supposing that the funds are partially afforded by the rate-payers, do you think that the suggestion which you make could practically work?—In that case I would also add some individuals representing the Board of Guardians, like the committee which has been formed in Aberdeen, in order to control those schools. If such a school were established by the city, it would be managed by the city government. The government would also control it by its inspection.

847. The funds of the Poor Law are, in some degree, under the management of the guardians, who are elected by the ratepayers, are they not?—Yes.

848. Do you think that any Board of that sort could be established with reference to the schools?—I think that a Board of Guardians properly considers the pecuniary interests of the city, and not, I am sorry to say in general, the reformatory condition of the child, and no Board of Guardians as such will take an interest in it; they will only consider how soon they can get rid of the burthen. Now, if the parish is in a great measure responsible, or partly responsible, in default of the parent, for the maintenance of the child, that will render local districts and societies more careful as to the general condition of the children from which these criminals come.

849. Mr. *Fitzroy.*] From what source do you propose that these funds should come; do you propose to take them from the county rate?—I would say from whatever sources the funds are at present procured for present purposes; a part from the county rate, or Board of Guardians, for instance.

850. The Board of Guardians have no control of the highway rate, have they?—No, they are distinct. I would say limit the claims on the parish to that portion which is assigned by the magistrate for the maintenance of the child, in default of the parent paying; but I would enforce it on the parent as much as possible, and I have great reason to believe that the cases are far more numerous than is generally supposed in which the parents can and ought to pay. As an illustration of the duty of maintenance devolving on the parish or on the parent, I would mention that a short time ago, four boys came out of Bridewell in about a fortnight; two of those were the children of the bad parents whom I mentioned, who ought to be made to pay, and positively punished if they did not; and the two other boys were orphans; one of them was almost forced into crime by having no one at all in Bristol on whom he had any claim. He said before the magistrate that he had no home, he did not know where to go. The magistrate asked, "Why don't you sleep in the Refuge?" The lad replied, "I don't know, *I have nobody to take me there; I don't know what to do.*" Now such a boy as that has a claim upon the parish; why should not the parish then pay? The other boy was quite destitute; he was a bad boy, who had shown that he was not particularly desirous of control; but still he was an orphan and had a claim upon a parish. It would be no hardship to make the respective parishes pay, if the parents do not, such portion of the expense as may be considered the bare maintenance. That would not be any very great extension of the present claim upon the parish.

851. You are mentioning the case of a child who was perfectly destitute, and who consequently had a claim upon the parish?—Yes.

852. Then would not the parish in that case admit the child into the parochial establishment, and consequently would not the child have the benefit of the Union School as at present existing?—Yes; in some parishes that might be so, but in Bristol it is not so. I would instance the case of a boy who came out of prison last January twelvemonth. He had been several times in prison; he was an orphan, and had no one at all to care for him. I had obtained with great difficulty an order to see him; and it was only through the grating that I could speak to him. I told him that I would visit him when he came out, and

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I advised him to seek for admittance into the Union School, which would be far better for him than being in prison, which he agreed to. On coming out of prison, the master of the St. James's Back School went with him to apply for admittance to the workhouse, and they positively refused him, saying, that he was a bad boy, and that they would have nothing to do with him. The boy was left wild in the streets; I tried to do him good, but he had arrived at that state of wildness that any control was quite objectionable to him. I got him work at a cotton factory, and gave him a home, and did everything I could; but in a little while he could not endure the restraint, for he ran away, and was thoroughly wild during the whole of the last year; at last he felt the want of a home, and came to the school again, and I requested the master to make another effort to get the boy into the union. He applied several times; they positively refused, and said, "that if they were to take in all the boys who were about in the streets, they should soon have to lay a very large rate upon the city; and that, besides, this boy would corrupt the others." That was actually the reason assigned. I ought to have stated that previously he had been in the union and had run away; and I requested the master, seeing him wild and vicious in the streets, to ask the authorities to catch him, and take him before the magistrates for stealing the clothes. They laughed at the master, saying, "they were glad enough for them to run away, clothes and all." I asked the governor himself privately, and he said, "Oh, yes, we are glad enough for them to run away." That boy now again applied two or three times; they kept him waiting time after time, and at last said they would do nothing for him. I therefore requested the master to pursue this matter, and to take this youth and another whom they also refused, before the magistrates in order to complain; the magistrates sent them with an order to the union, and they were obliged to take them in. But what are all these boys to do who are thrown upon society? Such difficulties constantly occur at the union in Bristol, which has a charter of its own, which renders it more difficult to deal with it. Besides, it has peculiar regulations. Elsewhere families become chargeable on a parish in which they have resided a certain time; but in Bristol no length of time will naturalize an Irishman, so that there are great numbers of Irish families who have been established there for a number of years, and who have acted in a respectable manner, and yet they cannot claim any relief, and it is generally refused.

853. Mr. *C. Legh.*] I think you say that these funds must be found by the parents; I do not quite understand the suggestion you make as to how these funds are to be controlled, or by whom?—Supposing the school established in the first place by a body of individuals, I would advise that the members elected by the subscribers to that school, together with some other members representing the local authorities, say the magistracy and the Board of Guardians, should compose a committee of management; in case of its being erected by a positive order upon the local government, of course the local government must control it; but I cannot help hoping that in most cities, if it became known that these provisions were made, a number of benevolent individuals would come forward and assist in such a work. It is of course only when public sympathy is enlisted that this will work well; we are to consider these as children who are to be trained and moulded; we want to bring them into sympathy with us, and therefore anything which brings individual action upon the school will do good, if it is under proper control.

854. Mr. *Fitzroy.*] In order to extend this system so as to produce beneficial results, you propose that a fund should be raised, and that the cost should be paid for out of this fund?—Yes; in all the schools that I have enumerated in the United States, it is individuals who have originated the schools, and who have requested, first of all, an enactment of incorporation by the city, and then aid from the State. When I wrote my book I had not had these reports; I have only lately been studying them. I only knew then of one Reform School, which has been in existence at Boston, Thompson's Island, for about 20 years; this may be considered the germ of a great many others. It was one in which an Act of Incorporation gave the managers of the school entire power over any boys entrusted to it by the parents, who thereby gave up their authority over them; these were unconvicted children, but in danger of falling into vice. The great danger led to the establishment of the Westborough Institution, which was established in consequence of a very large sum of money, I think 50,000 dollars, which was left by a Mr. Lyman, on condition of such a school being

being established by the State; individual benevolence began the school, which is still much aided by voluntary effort.

855. Mr. *Tufnell.*] Do you not think it probable that any great establishment, such as you describe, if it is to depend entirely upon individual efforts, would have great difficulty in supporting itself?—I would not depend entirely upon that; of course, in different localities there will be a varying number of benevolent persons who either can or who desire to carry them out. When such are not found, I would advise that, through the Legislature, such schools should be established in districts; in every district where it is found there is not one, and where it is needed, there should be one. In some cases two or three districts might associate together; or there might in other parts be several in the same neighbourhood carried out by individual bodies; it is very important that the religious action should be quite untouched; because we are not contemplating training boys to such and such religious creeds, but making them good and useful members of society. I have a firm conviction that that cannot be done without religious action, but this should be quite free. In Bristol there are a great number of Irish Catholics; in fact, a very large proportion. Now, it was said by a former witness that these poor children had not any religious conviction. Of course, in a great measure, they will not have, and many of those who call themselves Catholics, I dare say, have not any particular reasons for professing themselves to be so; but nevertheless they are Catholics, and they feel a very strong line of demarcation between themselves and Protestants. I think it would be wrong to compel all such children to be submitted for a length of time to Protestant influence; although, as a Protestant, I might myself feel that very desirable, yet I should not like to compel the consciences of others; and if the Catholics should think proper to set up a Reformatory School, and carry it out in such a way as that the Government inspectors might feel fully satisfied that it was a good institution, and answered the end proposed, I do not see why there should not be such an institution at work, and why the magistrates, knowing that there were two or three such institutions in Bristol, should not be at liberty to commit the child to such a one as would not compel him to undergo religious instruction contrary to his parents' views.

856. I was not so much alluding to religious education, but whether your apprehension was that unless these schools were originated, and were carried on by Government, they would degenerate into mere schools?—If I had the power of establishing Parliamentary, or purely Government Reformatory institutions, over the kingdom, I would not do it. I should fear that I was doing harm to the cause; because the public would know that they were called Reformatory Schools, and would suppose that they were developing the true idea; finding them ineffective, they would doubt the truth of the principle, which could not be really developed in them. Scarcely two persons absolutely agree about the true mode of conducting such an institution. I feel perfectly certain that no mechanical mode of conducting such schools would answer; and, therefore, the only way would be, to establish a number of them in different parts, calling as much as possible into action individual effort; and when individual effort was enlisted, and it was open to individual aid and management, of course people would feel an interest about it, as they do at this moment in America. The detailed reports given show the very great interest which is excited in them throughout the population: for instance, Sunday-school teachers to come and take charge of a class on a Sunday; many benefits have resulted from this plan, which, I think, would have the effect of bringing children into true relation with society. At the same time, the boys must feel under positive compulsion to stay there, and know, that if they do not submit to the regulations, they will bring upon themselves suffering, and eventually, as at Mettray, cause their own removal.

857. I understood you to say that the boys who behaved best in prison were the worst boys when they came out?—Yes; I have been very much struck with that in my own limited experience.

858. Do you attribute that to the want of moral influence over them in the prison?—No, I do not; at least not necessarily so. Now in the Bridewell at Bristol, where boys are sent who are summarily committed under Sir John Pakington's Act, they only stay two or three months, or perhaps one month; is therefore not feasible to do much towards their education, and of course the chaplain cannot have a great deal of influence over boys just coming in that way.

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way. I will give every credit to the efforts made by the officers, and particularly by the chaplains. I have been very much struck with their real earnestness. I attribute that to two causes. I will refer to the case of the boy whom I mentioned as having refused to come under my care, and who was a thoroughly bad boy. This boy was recommended to me by the chaplain as being a particularly good one, and he said he thought that he did not appear to be at all fixed in vice; the governor, and even the turnkeys, seemed quite interested about him, and were quite glad that I should take care of him and encourage him, and said he had behaved well in prison;—from inquiries that I afterwards made in the town from which he came, this boy appears to have been a most thoroughly hardened boy. I attribute this to two things: one (and I have seen that stated in the Evidence before the Committees of the Lords and Commons), that boys who have been two or three times in prison get accustomed to the rules of the prison, and know that they will endure a certain punishment if they infringe them. Another boy had been very rebellious; I was told by the turnkey that he was the very worst boy in gaol; that he had committed a great many offences, and done a great deal of damage to the cells in which they listen to Divine Service, by carving his name on the seat where he sat; he would secrete nails and so forth for purposes of mischief. The second time I heard a very good report of him, and I told him that I was glad he behaved better. He replied, "Oh! I know their rules now." And so he managed to control himself. The other reason to which I referred, is that the nature of the solitary imprisonment is utterly repugnant to the nature of a child; it is entirely contrary to it. This is borne testimony to by Mr. Field, in his evidence; and all the governors I have met with say, that the boys are positively more difficult to deal with than the men. Therefore, if the boy submits, it is because he has not a strong nature, and he just yields passively to force; and I would rather at any time have to reform a boy who had a strong nature and will, because all the boys whom I have found most open to moral influence have been those who had a very strong will, and they of course would feel prison discipline most repugnant to them.

859. Is it your opinion that the real nature of that boy would have been discovered in a reformatory establishment, which was not discovered in prison?—I think it very likely that he might have shown himself more rebellious in a reformatory establishment after a time, because he would be obliged to be there for a length of time; but I do not desire to excite the evil. The principle upon which I always go in my treatment of young persons is to call out and strengthen the good, and let the bad sleep.

860. I meant that the real nature of that boy would have been discovered in a reformatory establishment, which was altogether concealed in prison?—Yes, because he would have to be subjected to what was very disagreeable to him.

861. And so he would in prison, would he not?—No, that is not real hard work. A boy told me, after he had come out from prison, that he found the treadmill quite a refreshment, he was quite glad to have that; the work that they have is picking oakum, which is not such as would call out the energies of the boy.

862. Then you think that the difference between Reformatory Schools and prisons is principally in the labour?—No; in the prison absolute submission is required, and in the Reformatory School the will of the individual is left to work itself; I should think that the essential difference. It has been said to me by many, that if you use the element of positive restraint in the Reformatory School, which I would have, from that instant it becomes a prison; but I think I can show the contrary in this way: every parent who sends his child to a boarding school, sends him for a given length of time into the positive custody of the master; I presume that every parent would consider the master responsible for the custody of the child; if the child escapes, the master must catch him. In a Reformatory School the master has taken the place of the parent; the State at present nominally does so; but it does not act as a parent. Let the State, then, be a real parent to the child, and let the State depute that care to the governor of the school, requiring from his hands the responsibility for that child. I think that puts it in the clearest light.

863. The Marquis of *Blandford.*] You have spoken several times of the reformatory process which you propose to establish in these schools, of individual action; will you be good enough to explain what you mean by individual action?—I will. The master of St. James's Back Ragged School (you will excuse

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me taking that as an example, but I have studied it) feels that he never can do good to any boy until he, as it were, acts upon the mind; until he is in contact with the mind of that boy, and he feels that he is at times able, with a whole class, with a large number, to be what the French call *en rapport* with their minds, the child shall feel that the master understands him. I cannot describe this action to any one who has not felt it upon the mind of another individual; but unless that is acquired, I do not think that anything can be done. This master has not at all high intellectual attainments; he would not do as a certificated master of the English schools; but he has the power of getting hold of the heart and the mind of this boy. I think the question will be more fully answered by Mr. Power, who has had a very remarkable development of it. I never can do any good, I feel, to any children, unless they feel that I am acting upon their individual minds; and in the six years in which our Ragged School has been established, I would say that I have not known any instance of positive good being effected, except in proportion as there has been an individual action upon the minds of particular children.

864. There is this individual action, independent of any moral or religious precept through which it may be conveyed?—Entirely so, but co-operating with it.

865. With moral and religious precepts?—With moral and religious precepts. I think it exceedingly important to impress direct moral and religious precepts upon the children.

866. Can you distinguish between religious precepts and religious doctrines?—I would rather say religious spirit than religious doctrines. I have been exceedingly struck in communicating with several who have held very different religious doctrines from my own, and yet have found that we perfectly agreed in religious spirit; and not only so, but in the way in which we would act upon the spirit of the child.

867. Can you imagine that these schools can be established upon such a basis as to avoid the religious differences which exist between various sections, but at the same time to inculcate religious principles and instruction to the children?—The school with which I have been acquainted is supported by a number of persons of entirely different religious opinions; members of the Church of England, Orthodox Dissenters, and Unitarians. These have all agreed to unite on certain common grounds which they felt they could unite upon, and to leave the inculcation of religious doctrines to the ordinary Sunday school.

868. Are the Scriptures used in these schools, or would they be in those schools which you propose?—Yes, I would not on any account have any school without the use of the Scriptures, but I feel the Scriptures too sacred for the mere mechanical purpose of teaching to read; this is done in many schools, and does great harm, no doubt.

869. How would you provide for those parts of the population which consists of a great proportion of Roman-catholics, where their own particular views of reading the Scripture are very peculiar?—In the way I suggest only. Of course, when carrying out such a school as I am proposing, I would not be so strict as I would in the day-school in controlling the master. I would let him freely give his religious views, with the general direction that his teaching should be practical.

870. But still there would be a compulsory attendance of children, would there not, upon the reading of the Scriptures?—Yes.

871. So that you could not obviate the objection which might be taken by a Roman-catholic parent?—No, but that would be remedied according to my own plan by Roman-catholics themselves establishing a school of their own.

872. But do you not propose that these Reformatory Schools should be supported by a general rate, in the event of a subscription fund not being adequate for that purpose?—Yes; but the rate is levied for them as Reformatory Schools. The rate would be levied in order to support reformatory action upon certain children who were vicious citizens, and whom it was wished to transform into useful and good citizens. I think that we must be exceedingly careful not to control their consciences more than can be helped. We all agree in the use of the Scriptures, in considering them as containing the rule of life; we know that the Catholics do not approve of the kind of use of the Scriptures that we may adopt, though at the same time they have authorised in Ireland selections from the Scriptures. If Catholics felt an objection to the

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children being confined in such Reformatory Schools (because they might justly say children who are sent to prison are only sent for a certain time, but when they are placed in these schools they may be detained there for many years, until their minds are entirely moulded), then let them establish a Reformatory School themselves, only taking care, as at Mettray, which we have quoted as the especial type of one, and which is a Catholic School, that the reformatory action is thoroughly carried out so as to satisfy the Government inspector; and if so, I do not see why Catholic children should not be sent to Catholic Reformatory Schools, if they feel the matter of sufficient importance to establish them.

873. I wanted to ascertain whether, in taking the most practical view of this question that we can for the purposes of the Committee, you suppose that these schools, in which you propose that reformatory principles and processes should be conducted for the great benefit of all classes, to be supported by a local rate in the event of the subscription fund not being adequate, can be conducted equitably on anything but a secular principle?—I do not see what there is contrary to equity. In the first place, I should say most decidedly, that no reformatory principle can be conducted upon what is called the secular principle. I believe that religion is the perfect basis of all reformation; but at the same time I think that the mere instilling religious doctrines, as we know very well is the melancholy confession of the chaplains of gaols, unless there is a wise reformatory action carried out, cannot do any good. When that very bad boy to whom I alluded came out of prison this last time, I was perfectly astonished, not only at his acquaintance with the Scriptures, but at the degree in which he had studied them; and I think that that will be found very often to be the case. We must guard against relying solely upon the instilling of religious doctrines.

874. Would you propose to put them under the supervision of the clergy of the Established Church?—Not necessarily; for instance, supposing I were individually to assist in establishing a Reformatory School, though I might be very willing to have a Churchman for a master, if he were such a one as I considered was calculated to train the boys well, yet I could not conscientiously support or set on foot an establishment if it were *essential* to have a Churchman at the head of it.

875. Mr. *C. Legh.*] Does it occur to you that there might be the same difficulty, with respect to the different denominations of Protestants, that you have suggested with regard to Roman-catholics; for instance, suppose a schoolmaster to be a Unitarian, do you think there might be a difficulty; that the people of the Church of England would not like their children to remain so long under his tuition, as to have their minds moulded according to his particular form of religion?—I see the difficulty, and feel it; but I very much doubt whether, practically, it would be found to be a difficulty; because whatever religious opinions I may myself hold, if I were endeavouring to set on foot a reformatory establishment I should select such an individual as I considered would have such a hold over the minds of the children as would tend to their reformation; and as I should wish perfect liberty in my own religious opinions, I should leave him at perfect liberty in his; only distinctly telling him that he was to bear in mind, that it was religion, and not doctrinal religion, that he was to aim at.

876. I understood you to say that you thought that there would be great difficulty, on the part of the Committee of the Privy Council, in getting good masters for these schools?—Yes.

877. You think there would be a great difficulty in the Committee of the Privy Council selecting masters properly qualified for them?—Yes, I think so, with respect to the Ragged Schools.

878. Can you suggest any mode by which you think such selection might be properly made?—At present any master is eligible to obtain a certificate for the British schools who shall undergo a certain examination; that examination requires very great study. I have heard good masters say, they would not undergo such an examination; and supposing the Ragged School masters were to attempt to do so, our own, whom we consider very well qualified, could not by any means go through it, nor is it to be expected that they should. The question that was asked me was, how it might be tested whether they were capable masters. I would require a lower degree of qualification than at present; and besides that, the opinion of the inspector, as to the mode in which he carried out the schools, which I should consider as one of the most important matters.

matters. I would require a series of tests just as they do at present. I would not wish to have a thoroughly uneducated master. I think that he ought to read and write well, and to have the general rudiments of knowledge.

879. I understood you to say that you thought that the qualifications of masters for these Ragged Schools are so different to what are the necessary qualifications of other schoolmasters, that the Committee of the Privy Council would not be capable of deciding upon who was the proper person to be employed?—Not exactly that; you have a little misunderstood me; but only that a different standard of qualifications would be required. The memorial which I have read and handed in only prays that different arrangements may be made; that for the masters there may be different qualifications required from what are now required in the British Schools.

880. Whom would you suggest as the proper persons to appoint these schoolmasters?—I would leave that, of course, exactly as it is now. The Privy Council appoints the inspector, and the inspector examines the masters; let it be exactly the same as now.

881. Mr. *Miles.*] It would only require different rules and regulations?—Yes.

882. Mr. *Adderley.*] From what source would you get your supply of masters for these three kinds of schools; first, with respect to the master of the Ragged School?—In the first place, the Government does not undertake to supply masters for the British Schools, and therefore would not for the Ragged Schools or the Industrial Schools. The need creates the supply. A number of individuals are discovered from the need arising, who otherwise would not be known. All that I would wish the Privy Council to do would be according to the prayer of that memorial; to lay down such other qualifications as would enable persons who approved themselves to the subscribers, and to their own consciences, to be suitable masters for such schools, to receive what they cannot receive at present. A good certificated British master told me, that it would be easier to find a dozen for his school than one for a Ragged School. The Government cannot possibly make them, but it should hold out such a stimulus as would create them.

883. The Marquis of *Blandford.*] You spoke of the corrective system at Parkhurst being so unpleasant as to induce the boys to endeavour to escape. Now what particular inducement would there be at these Reformatory Schools which you propose to establish, to keep the boys from trying to escape?—I believe that, in the first place, happiness is the aim of all human beings, and that these boys seek happiness. They at present seek it in a very vicious manner; they will always seek it; if you can inspire into them pure tastes, good desires, and right principles, they will seek happiness in a different way from what they do now; and, therefore, though it is necessary, as was clearly put forth by Mr. Hill, in the first stage of reformation, to impose such restraint as will positively keep the child under reformatory action, yet after a time the child, feeling his own will in harmony with that of the teacher, will, when happy, co-operate with him. This boy, whom I mentioned as so very bad in prison, I visited at Redhill last summer, and he spoke of the great happiness he had there; he worked very hard, was treated with kindness, and therefore felt very happy. I believe, therefore, that they will have that wholesome happiness which will make them satisfied to remain under a degree of restraint which they know is for their good.

884. Of course you are speaking of those of whom the most favourable view may be taken, but you cannot expect every boy to answer so very readily to the helm; there may be cases of a more refractory disposition. How would you propose to deal with cases of that nature?—I quite agree with you that there may be cases, as has been provedat Parkhurst, at Mettray, and in America, of that very refractory disposition; but I believe they are very many fewer than is generally supposed. The boy I mentioned was very bad in prison, and when he came out, which was two months ago, having no father or mother I proposed to take him. The magistrate told me I should have a deal of trouble with him. He is now going to be an in-door apprentice to a very serious man, who has agreed to take him. Mr. Power will tell you the case of a boy, one of the worst to be imagined, who is now totally changed.

885. I apprehend that, in order to make your plan complete, it must embrace every

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every possible contingency; suppose you had a very small portion of boys refractory, how would you deal with those?—I think that some severity of punishment may be used; they must feel that they are under positive and firm discipline, and I believe that when boys do find themselves under that firm discipline, they will yield to the necessity. Mr. Clay mentions, in one of his reports, that a man who was sentenced to transportation had proved himself so thoroughly refractory in the different prisons, where he had been placed, that he was sent as a last resource to Mr. Clay, knowing that he had great power over refractory subjects. The man was brought in chains and handcuffed; the governor ordered them to be struck off immediately; told him that their discipline was so strict that it would be more than a match for him; treated him with kindness, and they had never a better man in prison. I believe that will be found to be constantly the case; but in such a confinement, after every means has been tried by firmness and seclusion, and in other ways, of course he must be sent to a more correctional discipline, which is necessary.

886. And do you believe that that further correctional discipline will tend to his further reformation?—I do not.

887. Then you think that he must be given up as a bad job altogether?—He must be cut off from society, and prevented from being the means of injury to others.

888. Would you, in those schools, associate those who had been convicted by the law of any offence, with those who were merely sent there for the purposes of education?—In the American schools the classes are all together; that is, in most of them. In the Westborough School, only the convicted juvenile criminals are admitted, but in the schools in New York, and in Philadelphia, those who have not been convicted, but whose parents voluntarily bring them and wish for admittance, are associated with the convicted; they make classes in the school, but those classes depend not on their previous conduct, but on their present conduct, and that I would strongly advise. I do not believe that any real difference can be discovered in juvenile criminals, from the circumstance of their having been convicted. I would act upon a general principle, that all in the school are brought for reformation; that they are to be placed in a healthy atmosphere; that they may begin with a new character, and that all punishment will be the natural result of their disobedience and bad conduct.

889. Then there are some criminals who undoubtedly have stood in the dock; would you class these in a school with those who have never been before a court of law?—Having been before a court of law would be no real test of their criminality.

890. But would you class these with those who had never had any stigma attached to them?—I should place them together. With respect to stigma, I should say that the school is one for reformation, and that after a few years the character of the school will be such as that it will not be a stigma on a boy to be received from it.

891. But the stigma, from his having been placed in the most criminal position in which he can be placed in this country, must remain upon him for a time, must it not?—I differ from that. In the school to which I alluded, the master feels it a matter of the greatest importance that the school should be regarded as a place of repentance; that any boy, however bad, should come in and be treated upon a footing with the others *as long as his conduct is good*; and that a boy should never be reminded of his past conduct, unless he obliges the master to mention it.

892. Then do you not think that the schoolfellows would occasionally remind him of his conduct?—No; so many of the children are common associates with what are called criminal children, that, instead of its being felt a disgrace to have been in prison, it is the usual etiquette among them, if one may use the expression, to appear once in the school on coming out, to show themselves; then the great danger is, not of their being taunted, but of being received as heroes and martyrs.

893. But surely it would indicate a greater feeling of reprobation of crime on the part of others, if they did taunt one who had been placed before the judge, with his past conduct?—No; because the past conduct of a boy, J. D., is known by all the school to have been bad, but he has never been before the judge;

judge; do you consider that he is more deserving of contempt from his schoolfellows, because on one occasion he happens to have been detected and punished?

894. No, I am not talking of expressing an opinion, I am only questioning as to the fact whether it would be so or not. I of course do not express any opinion?—I consider that to associate the children of this class (for you will observe that I have throughout spoken of the whole class, not of individuals) with those of the higher class would be exceedingly painful to the feelings, and properly so, of this higher class. I have visited the school of the Rev. William Quekett, of Saint George's East, Christchurch, and he told me that the district in which he lived was now so completely changed by the various improvements which he had laboriously effected in the parish, that in the whole parish he had not any of the criminal class, and that he never remembered any child from his schools (and he has a great many) being in prison. I asked him, "Supposing a child who had been in prison should apply to your schools, should you admit him?" He replied, "Certainly not; he would not admit him, and that the children of his schools would not approve of a boy who had been in prison being admitted." One of the little boys who had been in prison, and whom I considered reformed, applied to be admitted into a respectable Sunday school; I also requested that he should be admitted. As soon as it was found that he had been in prison, there was an objection on the part of the scholars and the master of the school. I therefore think that there is a reason for those who have never been in this lowest class being compelled to associate with those who are in it; but we are speaking of those who are altogether in it, and I think that these do not feel a difference in grade from the mere circumstance of having been in court.

895. I quite understand the distinction that you wish to draw, but at the same time I think that the proposal for those Reformatory Schools was, that they should include not only those who were unconvicted as well as convicted, but also other children sent there for the purposes of general education?—I should not define a Reformatory School in that way. I should consider it for the reformation of all children who had acted criminally "*sans discernement*."

896. Where would you draw the line of demarcation if it is not confined to those who have been brought within the powers of the law?—The schools of which I have been speaking are solely for those who have been convicted. I mentioned that, in America, those were associated together whose parents applied for admission from their criminal propensities. I know numbers of cases in which parents would be most thankful to send the child to a Reformatory School, from his showing such criminal propensities as he positively cannot control. It is felt by some that a stigma must necessarily attach to children who have been in this Reformatory School. My own experience is the contrary. I have been apprenticing 10 boys during the last year from a school, which is professedly for this class of children; and yet I never met with any opposition or dissatisfaction on the part of the master to take the boy, on account of his having committed a theft or having been in prison, if I assured him that his conduct had shown that he was endeavouring to reform. Therefore, I do not believe that the public would hesitate to take boys or girls (for I would say that, when I have spoken of boys, I would still more refer to girls) into their employment, when it can be shown that they have been reformed. The same readiness to employ such children has been shown in America, France, and elsewhere.

897. Would you have schools where the sexes were mixed, or would you have them merely for boys and merely for girls?—From my own individual experience, I should say that a certain degree of mixture of boys and girls would very much conduce to the moral effect on both; but I am aware that such mixture would require the very greatest care. In the Rauhe Haus at Hamburg, there are one or two houses for girls, and the greater part for boys. The girls, of course, would be differently employed from the boys, and they would only meet at certain times. In the Ragged School I have alluded to, where the grossest immorality prevails out of doors, we associate the boys and girls, to a certain degree, together in the day school, where the children are young; of course, with a watchful eye on the part of the master and mistress to separate any that they think it would be inexpedient to allow to be together. In the evening, when the children are older, the girls and boys are taught separately,

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separately, but they assemble together for any addresses or religious exercises; and I believe that such admixture tends to good. If such arrangements could be made, therefore, in a Reformatory School for children as to unite them for certain purposes, I think it would be good, but, of course, it would require great care. The general principle on which I would act is this: that in all such establishments, as nearly as possible, the home features should be introduced; schools cannot be made at all like the home, unless there is a mixture of boys and girls; a female influence, as well as male, upon the boys, is, I think, essential.

898. Have you no fear of children being introduced of a very degraded character, because you must suppose that a Reformatory School would be open to the reformation of all characters; those who were badly disposed coming in constant communication with the others, and contaminating them?—No; I consider, for instance, that that little boy that I sent to Redhill could not have lived under more degrading influences than he did. That little boy was living in the midst of the most thoroughly immoral part of the town; his elder brother, as I was telling you, was the acknowledged head of the gangs of the neighbourhood. This little boy looked, as is said in the newspaper report, excessively hardened: he had a very strong will, and such a love of freedom, that the master tells me, he has seen him at seven years old shivering in the cold, while no indulgence, kindness, or even food, have induced him to come within control. Yet the chaplain does not find him peculiarly immoral in his tendencies. The juvenile mind is flexible.

899. Is it your opinion, that the introduction of a degraded and an immoral boy into the midst of those who were not so degraded and immoral would lead to this result: that the influence of the better would be likely to be of a reformatory tendency to the bad boy, rather than that the influence of the bad boy would be likely to be of a pernicious tendency to the good?—That is a very important consideration. Everything depends upon the moral tone which is established in the school, and the degree in which the boys co-operate with the master. In the Saint James's Back School, which contains a number of the class you are describing, for some time there was not that feeling of co-operation with the master. The master then often found that the mere presence of a single boy has entirely upset the school; without his boy doing anything, the mere knowledge among the others of what would be his feelings, and his contempt for good conduct, produced this effect; but now the master finds that even if a boy acts in open rebellion, instead of the others sympathizing they will co-operate with him. A case occurred a little while ago; the master was from home and the mistress had to conduct the evening school, both the boys and girls, by herself. One of the boys had misconducted himself while the reading of the Scriptures was going on; she called him from the gallery; he would not move. She repeated the command; he sat very firm, and remained evidently glorifying in defiance. I advised that a strong teacher should take him down, but she more wisely said, No, "she would not use anything but her word." The boy remained in triumph during the whole of the reading and singing, the other boys being surprised, but not sympathizing or admiring him. On the next evening the boy was in his place, and the master asked him whether he was sorry for his conduct; he boldly declared that he was not, in the presence of the school; the master then asked the whole of the boys whether they thought it right that he should remain in the gallery if he was not sorry? They almost unanimously said he should not, and by the verdict of the boys he was brought down. The same has happened on a most rare occasion, in which a well-known thief stole a little cannon which had been bought for the amusement of the children; the cannon was lent, and therefore the master impressed upon them that it was doubly bad to lose it. He appealed to the whole school; he told them that they had established a good character for honesty in the school, and that the character of every one depended upon the discovery of the guilty boy. The boys did co-operate, and they brought the toy back to the master; he publicly thanked them for their co-operation, which excited cheers.—The introduction of one or two bad boys will not be injurious to the whole school, when there is a strong moral feeling established in it.

900. Mr. *Miles.*] Now with respect to the number of scholars at St. Mary's Back; how many are there usually?—Thee are usually now in the day school 150 children;

150 children; they vary from 120 to 180; in the evening school the average is 80 in the winter, varying from 60 to 120; it is about 40 in the summer, varying from 30 to 60. We may consider that there are in nominal attendance at the school about 300 children, but of that 300 children nearly one-half are receiving merely evening instruction, being about in the streets all the day, getting their bread, as they express it, in one way or another.

901. Then are the Committee to understand, when you stated that about one-third of those were criminal children, that you meant one-third of the 300, or one-third of the 150?—About one-third of the whole. I would not say criminal children; but connected with criminal families, and whom we desire to rescue from becoming criminal children.

902. Then, as I understand you, the one-third are not children who have actually been convicted of any offence, but they are merely some of them belonging to families, members of which have been convicted?—Yes; as the school improves, I believe that it will be generally found that the criminal children keep away from it. I mentioned that in the year 1850 there were 25 boys committed from the school; they were almost entirely from the evening school; but in the last year, 1851, there were only five boys committed. Now, I should not say from that circumstance that the school was more moral; (and in all this I have the authority of the master bearing me out in his experience); it only is, that these bad boys do not come to the school. They did come until they were hardened, if I may use the expression, by prison; but they do not come now; and I see those very boys on the outside corrupting the others.

903. The boys, the most criminal now, are not subjected to any kind of discipline?—No, they are the heads of gangs; you probably know enough of the nature of Bristol to know that there are districts in Bristol as distinct from each other as one town is from another; and the gang of one part keep to themselves. There will be the Lewin's-mead Gang, the St. James's Back Gang, the Milk-street Gang, and so on; and the boy whom I mentioned just now, positively gloried in finding that he was announced in the newspapers as the head of the St. James's Gang; his family also rejoiced in it.

904. You said, I think, that this school has been established about five years?—Six years.

905. Have you always had the same master?—At the very commencement of the school we had not; we commenced the school in August 1846 with a man who had never kept school, and who only possessed the qualification of being exceedingly kind, and having a peculiar power of gaining ascendancy over the hearts of the children. We began to collect these together from this lowest and degraded part, and it was the first attempt of the kind in Bristol; but we found after a time that though he had succeeded to a certain point, he could not go any further. We required a regular schoolmaster; one who had been regularly trained; and this shows the great importance of the Government laying down such regulations as will secure a good class of masters. We then endeavoured to maintain a master who had been regularly trained in a Normal School; he had before had a Union school; and this master at once organized the day school, which can scarcely be said to have existed before his time; he has been gradually gaining experience, and increasing in influence over the children.

906. As you have stated the great moral influence which this schoolmaster has obtained over his pupils, may I now ask the quality of his attainments?—He was a Union schoolmaster before; he, of course, can read and write, and understands arithmetic, and the general elements of ordinary knowledge; he has besides peculiar power, which Mr. Fletcher, the inspector, was himself struck with, of communicating such knowledge as he has in a remarkably clear and distinct manner to the minds of the children. I believe that it is very essential to have, as masters in such schools, those who have positively studied as a profession how to communicate knowledge.

907. Was the master a certificated master?—No; he was the master of a Union school; from some personal knowledge of him, I believe that if he were to give his time to studying for the purpose of gaining a certificate, that he could not do so; but, even if he could, it would require too great a devotion of time to do so.

908. Then at present his attainments are not sufficient to enable him to acquire

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acquire that certificate?—They are not; but yet they are such as to be adapted to raising the attainments of the children as high as they can attain to. Many people have been struck with the manner in which he has taught the children simple elements of natural philosophy. I would not limit the character of the instruction in these schools, but raise it as high as the children are capable of, because I believe that every degree of real improvement, both in the intellectual and in the moral capabilities of the child, will enable him to be more useful to society, and that instead of there being a superfluity at present of well-trained children, there is a positive deficiency of them.

909. With reference to what I should call the first of the three classes, I understand entirely from you that by having this good master, you have actually altered the whole character of the school; the very criminal you have expelled, while what may be called the moral children you have retained?—It is very much the case; I would not say expelled, because every child may be admitted, however criminal, but very few will subject themselves to the regular discipline of the school. Mr. Quekett told me that in his parish the lowest school that he had was the Free Day School; he showed me the school; that was a class decidedly above those of the St. James's Back School, and moreover he said there were positively in his parish none of the class that I am speaking of. We did meet a few children, while I was walking about with him, of that class, and he said, "I am certain those do not belong to my parish." He questioned them and found that they came from a neighbouring district which I had myself passed through, and which I had noticed as being the *fac-simile* of St. James's Back.

910. Then having now gone through your school, we must descend next to the Feeding Industrial School; the class which under good training in St. James's Back have left your school, would be part of the class which would have gone into the Feeding Industrial School?—Exactly; the day before I left Bristol, the master told me with a melancholy despair, that 12 children from Deep-street, a dreadful place, had just been withdrawn, and that he could not by visitation get them back; the parents said the children did not care about coming, of course it was that the parents did not care to have them there; it happens continually that such is the case. We must get hold of those children if we wish to touch the really criminal class.

911. The Feeding Industrial School would be children convicted under Sir John Pakington's Act, and children, as I understand, whose parents would wish them to come, knowing their criminal propensities?—No, not for the Feeding Industrial Schools.

912. Then be good enough to tell me exactly the class under which they would come?—Those 12 children, that I told you had left the St. James's Back School, had not been convicted of any crime; you could not say that they were guilty of any crime; but supposing an active police were constantly walking in these parts, or supposing any individuals had the power to take the hand of any such child, as he or she might meet in this vagrant condition, in the streets; supposing, in going into the courts of Red Cross-street, which you probably know, and seeing the half-dressed little savages there, who cannot be induced to come to the Free Day School; supposing these could be gathered compulsorily, being no longer permitted to be vagabondizing in the streets, and forced to go to this Industrial School, that would be the class that I contemplate.

913. Then your second class includes what Mr. Hill has called "the Arabs," does it not?—Yes, it does. Some Arabs can be caught, and some cannot be caught. If you go through Lewin's-mead on a Saturday, you will see there children that you would suppose to be wild Arabs, and yet if you saw these very children in the school you would say they ought to belong to a higher class. I would take hold only of those Arabs that *cannot* be caught.

914. Now what description of master would be required there; would it be a different description to that of the master for the first class of schools?—I think we should always find masters adapted to the circumstances. We must, in the first place, always get a religious man; one who enters upon the work from a love of the children's souls. I believe that that is indispensable; not one who makes a great profession of religion, but one who has the thing really at heart. Perhaps there may be less attainments necessary; yet I would not make a distinction between them, but leave it to circumstances. I contemplate that

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after a time these Industrial Feeding Schools would not be required. It is found that in Aberdeen the number is increasing, instead of diminishing, of those who have been brought to these schools; and we find that in Mr. Quekett's parish there is not need of such a school. He requires a free school, which he told me he could not bring under the Committee of Council's Regulations, but he would not require a feeding day-school.

915. Then when once this system was thoroughly established, your opinion is, that you would actually lose one class of schools entirely; that would be disposed of, in fact, in the first class?—Yes; I would leave that entirely to the circumstances of the case, and the number in the place. I was told that in Edinburgh such a school as our Free Day School could not be established. In Dublin a barrister has established a feeding industrial school. He told me that a school like ours could not be established, from the circumstances of the place; whereas, I should say, that a school in the middle of Lewin's-mead, where food was given without any compulsion or inconvenience arising, would be positively immoral, because it would be relieving the parents from the only check which they have now.

916. How has the establishment gone on which is now in existence at Penny-well-lane?—I have visited that school, and conversed with the master on the character of the children. I found there, as I have found in other Ragged Schools, that the criminal class were not brought. The master told me that he had only one or two who were criminal children, and in his Evening Ragged School he had not the criminal children. If, then, we find smaller numbers of convicted children returned from the Ragged Schools, it is not necessarily because the schools have improved the population, but because the criminal ones will not go to them. I questioned him respecting those children who were boarded in the institution, and I found that there were some of them cases, in fact most of them, where there was a legal claim upon the Union. I said, "Why does not this boy go to the Union?" He said he had been there, but that he ran away; he could not bear the kind of restraint which was exercised, and the want of development of his powers. "But," I said, "have you seen no tendency to run away from you?" He replied, "No."

917. In the second class, Feeding Industrial Schools, would you adopt a good deal the principle that is now carried on, giving them education, and at the same time giving them industrial employment?—Yes; but I would make it less a reward to them. I would give them a low and common occupation. I would even give them oakum-picking, or something quite of a rough kind, for I would not wish to make it a bonus to them of any kind, but merely to make them do something for their living.

918. Do you not think that that would a good deal disgust the children and send them away, unless they were obliged by law to attend?—We know that they are kept at the Edinburgh, and Glasgow, and Aberdeen schools. I would wish for these gradually to become unnecessary. I would not make work disagreeable, but I would not try to make them wish to come to this rather than to the Free Day Schools. I believe that in general the children would much prefer going to the Free Day Schools, if well conducted; it is of the utmost importance that these Free Day Schools should be so carried out as to make them a happy place to the children, and that they should be thoroughly good; under the present regulations, it is quite impossible that the Ragged Schools in general should be good, because the funds are not at all sufficient.

919. The third class, namely, Reformatory Schools, I understand would take those convicted before a judge or those convicted before a magistrate, under Sir John Pakington's Act. Of course you have considered that there would be an infliction of a very severe punishment there; probably, before a judge, it might be a punishment of 12, or 15, or 16 months; whereas, before a magistrate, it might be only one or two months' imprisonment. What time do you think is necessary to reform these children; when should they leave the school?—I think that it never must be under a year, but I should think that generally a year would not be at all sufficient; if the little boy to whom I was alluding, at Redhill, were turned out at the end of the year, he would be very likely to fall into crime at once. I would rather go upon the American plan of detaining them, according to the discretion of the magistrates or judges, until it seemed fit that they should be apprenticed out, taking them from their parents altogether; but, at any rate, that their release should completely depend upon their

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their conduct; that they should not be turned out at the end of a certain time, reformed or not. That seems to me as absurd as it would be to say, that any patient going to a hospital should remain in it a certain definite time, and no longer.

920. But does it not strike you that this difficulty would arise, that there would be no distinction in punishment for crime; at present a boy is sentenced for a minor offence to one month, another for housebreaking, possibly to 15 months' imprisonment before a judge. If you place those two boys in a Reformatory School you would place them each under duress for possibly the same period?—I quite agree with you that we must, as far as possible, consider the law; but I would ask whether a little child who was sentenced to 15 months' imprisonment for housebreaking, having been convicted before of similar offences, which said little child was only stealing a little oatmeal from absolute destitution, and who died in prison at the age of 11 from positive destitution, is to be considered guilty of a *criminal offence*, the child never having had any home, or anybody to teach him? Can we apply such distinctions to the faults of children? (*Vide* "Reformatory Schools," p. 284.)

921. Still, that may be a solitary instance; but do you think that, with between 6,000 and 7,000 juvenile criminals, it would be a general thing?—I have noticed very carefully, the sentences of the prisoners at the different Quarter Sessions, and I confess myself unable to ascertain the principle upon which punishments are awarded; sometimes, for a theft of a small article of little value, an individual is sentenced to seven years' transportation; whereas for a theft of large value, there may be a sentence of a month or two. I therefore presume that the recorder takes other circumstances into consideration in the sentence which he awards, and that it is considered that this small theft is an indication of a very dangerous state of character. I would apply the same principle to children; I do not think it in any way possible that you can award an equal amount of what is called punishment, for an equal offence in these cases of criminal children, because, as I before said, very often the very worst may not have been convicted, and yet may be known to be the worst. I would take all children whatsoever, who have shown themselves to be dangerous to society, by infringing the laws, and put them together in this school, letting it be known to their companions that they are forcibly withdrawn from their liberty on account of their evil conduct, and that they will not recover their liberty until their reformation has been tested.

922. Taking into consideration the very statement of the different punishments awarded to these young people, does it not strike you that the persons sitting in judgment upon them award these differences in the amount of punishment according to the differences of guilt?—I do not think it at all possible that they should, because I do not think they can tell differences of guilt. Can you, for instance, for a moment imagine that there was positive guilt in this poor little child getting a little oatmeal? yet 15 men forming the jury condemned him to this long imprisonment for this dreadful crime of housebreaking, as he had been convicted before of two similar offences; you yourself would feel that such a child was not morally guilty.

923. But do you not think that, in some of the cases where you see a very severe sentence passed upon some of the children, it is because the former sentence has not been of use to them, and that the judge hopes, by passing a sentence of transportation, which will not take effect as transportation, it will result in their being sent somewhere for the sake of their reformation?—Exactly so, and that causes the strange anomalies of sentences, which must entirely defeat the ends of justice. Here is this little boy, who was known by his schoolfellows to be an idle boy, who would not come to school when he was persuaded to come; here is Jemmy S., who has been convicted over and over again, who is mentioned in the newspapers as being a very depraved character (the idea of calling a child of nine a depraved character!) why in the opinion of their little public should one be sentenced to seven years' transportation, when the other has, as they say, a month,—while they both in reality share the same fate, namely, are sent to Redhill?

924. May I ask you now, in respect to these Reformatory Schools, considering that, at present, after conviction, the Government pays the expenses, whether the Government should not undertake the conduct of them; whether, instead of imprisoning children, or transporting them, still keeping that power, that the judge

judge or the recorder, before whom the children should be tried, should have the power of sending them to these Reformatory Schools, conducted and inspected by Government?—The Government has a perfect right, when it gets hold of a child, to do with it as it thinks right. Government undertakes to be the parent of that child, as I understand it is expressed in the law books. Then let Government do what it (the Government) feels most conducive to the child's good, and to effect the ends of justice. If Government thinks that it can effect these ends best by establishing purely Government Schools, which must degenerate into juvenile prisons, let it do so; but if Government can be persuaded, and can see, from the example of others, that these schools will be far more effective, be a greater saving to society, both in expense and in moral contamination, by calling in as much as possible the aid of individual efforts, then let Government do so;—I believe that Government can best do so.

925. But have you not formed that opinion more from the state which Parkhurst is now in, than by considering what has been done at Mettray, and what has been done in the United States also?—No, I do not; because I had not heard of Parkhurst when I began to consider the subject. I had formed my opinion purely of what ought to be done, without considering what I thought to be the failure of Parkhurst. I examined Mettray, and I formed my opinion upon what I conceived to be sound principles, which have been tested thoroughly by all these others. The Rauhe Haus is purely voluntary; there is no magisterial inspection or Government aid there; the others that I have mentioned receive Government aid. We see that, at Stretton-on-Dunsmore; they find exactly the same difficulty which I pointed out must exist in a purely voluntary institution.

926. In your opinion, supposing Government paid for the Reformatory Schools, supplied the necessary masters, and at the same time inspected the school, would there be any difficulty in forming from the community (I will not say from the magistrates) a committee who should inspect and regularly do the duty which the magistrates now do?—It is so completely a speculative question that I cannot pretend to answer it. *I do not believe they can;* and I form my opinion from observing all other institutions. I know that, in the prisons where there is strict seclusion, all individual help is excluded, at any rate I can speak for Bristol, and I know that the Union Schools, which are Government institutions, and which are besides managed by a Board, fall into the very evils which I would wish to avoid. Though there may be individual Union Schools which are exceedingly excellent (and I believe that there are such), it is only because by an accident there are some individuals having a share of the management who happen to be very intelligent men and get an ascendancy; but as a general rule it is the contrary.

927. If the system of Reformatory Schools is carried into operation, there must be different Reformatory Schools in different parts of the country, and following out your plan they would not be prisons, but they would be schools conducted with a certain degree of rigour and with industrial occupation, and the children turned out from them would in all probability form as good citizens as those turned out from Mettray: supposing power were to be given to form a local committee, do you not suppose that there would be a certain number of benevolent Christians who would be ready to undertake that office themselves, and look after the industrial operation of the schools?—Do we find that the case in the Union School?

928. The Union School is subject to the inspection of a committee of the Board of Guardians?—How are the Board of Guardians elected?

929. By the ratepayers. I would ask you whether you do not think that, in a certain locality, individuals might be found who would come forward, ready to assist in these schools?—But would the magistrates?

930. I leave out magistrates entirely?—Would the Government?

931. Charitable individuals?—It is so peculiar a case; it has never occurred in any Government measure; it is impossible to predicate what would be the result. I can hardly imagine that the Government would give that general kind of invitation to any who felt themselves interested to come forward; and we generally find that Government officers are appointed in certain ways which cannot be entirely dependent upon the individual zeal of particular persons.

932. But if you carried out your system, there must be a total change of law; and with that change of law there must be a certain modifying

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ing of its harshness, must there not?—Why need there be a change of the law? At least there must be one change of the law, to authorise all children convicted under Sir John Pakington's Act to be sent to the school, instead of being sent to the prison. That is the only change, a return to the original principle of the child being a child and not being a man.

933. Now with reference to the subject of expense, do you not think that at present the draughts upon private benevolence are very great, particularly as far as education goes?—Certainly, and this is merely a voluntary, and a very small voluntary contribution that I ask for; it is not compulsory at all.

934. But if persons subscribe liberally to National, and British and Foreign Schools, is it not rather hard to ask them to subscribe to three other different kinds of schools?—That altogether depends upon their zeal; you cannot compel them to subscribe. I know individuals who would be rejoiced to do so, from a feeling of the great importance of the measure; they find it so in America, where every one is taxed.

Martis, 25° die Maii, 1852.

MEMBERS PRESENT.

Mr. Fitzroy.	Mr. Monsell.
Mr. Baines.	Mr. Tufnell.
Mr. Miles.	The Marquis of Blandford.
Mr. R. Palmer.	Mr. Monckton Miles.
Mr. Adderley.	Sir William Jolliffe.
Mr. Cowper.	Mr. Hardcastle.

THE RIGHT HON. M. T. BAINES, IN THE CHAIR.

Miss *Mary Carpenter*, called in; and further Examined.

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935. Mr. *Miles.*] I UNDERSTAND you wish further to fill up an answer to a question which was asked by me on the last occasion of the meeting of the Committee. I allude to question 932, which is this: "If you carried out your system, there must be a total change of law, and with that change of the law there must be a certain modifying of its harshness, must there not?" Your answer begins with, "Why need there be a change of the law? At least there must be one change of the law, to authorise all children convicted under Sir John Pakington's Act to be sent to the school, instead of being sent to a prison. That is the only change, on consideration of the child being a child, and not being a man." You wish, I think, rather to amplify that answer?—I would beg to add one or two further remarks on that part of the question respecting what change of the law would be needed, and I would say that it appears to me that such a change in the present administration of the law would rather bring back the spirit of the English law to its original conception. In the English law, as far as I understand it, children are considered incapable of guiding themselves, they are therefore entirely submitted to the guidance of their parents; they are not permitted to perform so good an act as apprenticing themselves to a trade; that cannot be done without the permission of their parents, and I have known cases in which children have been prevented from apprenticing themselves, by the father's withholding his permission. I know one case in which a boy has fallen into vice from this very cause. A child, likewise, has not the power of disposing of his own earnings. The parent has a right to demand from him his earnings if he is not apprenticed, till 21. He has also not the power of willing his property; he is very properly considered as incapable of guiding himself. The father is therefore considered as responsible for his maintenance; if he neglects to provide him with proper food, the child can appeal to the parish, who will punish the father for so neglecting him. But the moment the child shows he is really incapable of guiding himself by committing a crime, from that moment he is treated as a man. The expense to the country is exactly the same as if he were a man.

man. He is tried in public, and all the pomp and circumstance of law is exercised towards him as to a man, while his father is from that moment, according to the present law of the land, released from obligation to maintain him. The City solicitor, Mr. Pearson, stated before the Lords' Committee in 1847, "that the law of England is not fairly dealt by in its administration as regards children. By the common law of England a child under years of discretion is not taken to be *capax doli.* By the theory of our law it is necessary that you should prove against a child charged with crime a precocious capacity for evil, or as Lord Hale describes it, a mischievous discretion; whereas every person above the years of discretion is by law presumed to be cognizant of the law, and unless the contrary be proved, he is held answerable for his acts. A child under years of discretion has applied to him by the law the converse of that proposition; he is not held to be capable of crime unless from intrinsic or extrinsic evidence his capacity is proved." We want you to restore the law of England to its original state. We hold that children should not be dealt with as men, but as children.

936. Mr. *Fitzroy.*] At what age?—The law of England says until they are 21. I am not wishing to give such a latitude as that; I should, from my own judgment, point out 16 as a more correct line. There is another very great inconsistency in the present administration of the law. A late Act, commonly called Sir John Pakington's Act, has, I understand from a Member of this Committee, the extraordinary clause in it, that a child guilty of felony is to be fined 5*l.*, and that it is in default of paying that fine that he is imprisoned. Now how can a child possess 5*l.* of his own, when by the law as it is established, his earnings all belong to his father? Again, a former witness stated that he had often been placed in a very difficult position from young persons of different ages being brought up charged with the same crime, and he was obliged to punish the most the individual of the three who was least capable, by reason of his age, of understanding his fault. That involves a great inconsistency. Besides, we have magistrates at the present time placed in the painful situation, as I think I stated at the last meeting, of sentencing young persons with the positive declaration on their part, that they knew that the former punishment had done them no good; and we have even the Recorder of Bristol declaring to the grand jury that the punishments awarded had not had the effect of reforming. "In 24 cases," he says, "there had been prior convictions. He was sorry to find from the great number of cases of the latter description, in which prisoners had been brought before him for the second, and sometimes for the third time, *that the punishments awarded had not had the effect of reforming them.* That was an evil which was, undoubtedly, greatly to be lamented, because it was hoped that punishment would have the effect of reforming criminals, *and he was very sorry to find so many instances in which it had failed in doing so.*"

937. *Chairman.*] Whose charge is that, and from what did you take the report?—It is from the "Bristol Mercury" of the 12th April 1851. It is the charge of the Recorder of Bristol to the grand jury of the quarter sessions.

938. You allude to Mr. Crowder?—Mr. Crowder. Recorders are also placed in the position of sentencing little children to transportation. Now, that was done in Bristol on several occasions in the last year. One was the case of a little child, whose head could hardly reach the top of the dock. Transportation was stated in evidence before the Lords' Committee in 1847, to be the very highest secondary punishment, and intended to be a very awful one. This punishment was solemnly and publicly awarded to these children; yet it was known by the Recorder that the punishment, as it is intended in the law, would not take effect; it was likewise known to the young people about that the sentence would not be executed; therefore it was a mere mockery.

939. Mr. *Miles.*] I do not know whether you were present at the trial; but may I ask you whether the Recorder stated, as is generally the case, that although he sentenced the child to transportation, yet that it was his intention to make a representation to the Secretary of State for the Home Department, which would not have the effect of sending the child out of the country, but which would send him to some reformatory school, where he would be taken care of, and turned out a better man?—I was not present at the trial, but I am aware that statements of that sort have been made by Recorders and Judges; but that does not interfere with the argument, that the law deals inconsistently with children: transportation does not mean transportation in their case.

940. If you have attended criminal trials and seen many of these children tried,

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tried, is it not the invariable case that, when a sentence is passed upon them which horrifies the auditory from its severity, that the judge or magistrate presiding tells them that he does it for their good; that it is not his intention to inflict transportation for ten years or seven years, but to place them, through the medium of the Secretary of State, in such a position as that, after a considerable deal of penal reformatory action, they might turn out good subjects of this country, instead of remaining bad?—I am quite aware of that; but that merely supports my assertion, that the solemnity of the law is thereby lowered in the public estimation, and that we are often reduced at present to the necessity of seeing the whole apparatus of the law brought to bear upon little children, who, after all, are not subdued by it. Lord Harrowby wrote to the Conference at Birmingham: "Only last week we had in our county gaol two children of six and a half and seven years of age."

941. *Chairman.*] What county gaol is that?—Sandon, I believe, is in Staffordshire; but I am not certain of that.

942. Does Lord Harrowby state what the charges are?—No, he does not; but perhaps I had better read the whole sentence: "As to the present state of things, it is abominable. Only last week we had in our county gaol two children of six and a half and seven years of age." Serjeant Adams mentions in his evidence before the Lords' Committee two children, one of seven and the other of eight, who were actually sent to Millbank Penitentiary, but they were at the time incapable of being dealt with there. I have heard from Miss Murray, who, it is well known, had a great share in the establishment of the Children's Friend Society, which was conducted by Captain Brenton, that she there met with a little girl of eleven years of age, who had been sentenced to a year's solitary confinement for stealing a sovereign.

943. Mr. *Miles.*] Do you mean separate confinement when you say solitary?—Yes, separate confinement; and it was ascertained that the child positively had not the slightest idea of the difference between a sovereign and a shilling.

944. *Chairman.*] Miss Murray is the lady who sits here?—Yes.

945. Mr. *Miles.*] May I call your attention to a part of your evidence which you gave the other day, in which, speaking of these reformatory schools, I understood you to say that you held it to be necessary for thorough reformation, that entire separation should take place of one criminal child from another?—No, I did not mean to convey that idea; I meant entire separation from their former associates and criminal connexions; I meant that they should be removed from the sphere in which they had shown themselves criminal. It would be quite contrary to my opinion that they should be kept in any degree of solitude afterwards.

946. But taking any locality in which these reformatory schools should be carried out, does it not strike you that the children that would be sent to these reformatory schools would as a matter of course know each other's former habits?—That has not any practical evil result. I have seen at the Philanthropic Institution since I was last examined three boys, all from Bristol; one of them the little boy to whom I have already alluded, and two others who were transported last year. I received from the chaplain, the schoolmaster, and the matron, the most entirely satisfactory accounts of each one of them, and the countenances of the boys indicated the good disposition of their minds.

947. But they are in a large district. You discovered only three from Bristol; but take the Judges' circuits, or take the different districts into which England is divided. If in each separate circuit a reformatory school should be established, of course more from the particular town would be thrown in than three, and the consequence would be that there would be a greater chance of their thoroughly understanding what were the previous habits of life of each; do you think there would be any objection to that?—I do not, from my own experience in the school I have spoken of; because I find that whenever children are actively and well employed, and under good influence, they rather support the influence of the master than otherwise; this depends entirely upon their being fully occupied, and their minds under right discipline.

948. That naturally now leads me to Parkhurst; Parkhurst is a very large prison, in which boys who are sentenced to transportation are confined, and if they behave well after being there a short time, are sent out to the colonies. Now the Committee have had evidence that education, as far as education is concerned, has not much effect upon them; for I find upon looking at a criminal return,

return, that Mr. Pearson, speaking with reference to the education of these children, states that, taking the whole of those that had been sent to Parkhurst up to that time, the period that they had been at school ranged from one year to eight years, and which gave an average of three years and ten months. Then you attribute the failure, I suppose, not so much to the want of education as to the want of moral and industrial training?—Entirely so. My own experience leads me very greatly to undervalue the mere communication of reading and writing. I do not believe that that alone at all deters from crime, or can reform; but I consider that those boys to whom in that table you refer, (which table I well recollect,) who profess to have been at school, had most likely been there irregularly, so that you cannot ascertain the absolute amount of their attendance at the school; nor what kind of teaching that they had had. It is my own opinion, that a large proportion of the teaching which is given in ordinary schools is not calculated to do more than to communicate a certain amount of secular knowledge, with a certain verbal acquaintance with the Scriptures, without its influencing their hearts and minds; and I consider that that table is a most striking proof of this.

949. But still looking at this table, and knowing, as I believe you do, the discipline which is pursued at Parkhurst, I would now ask you what system of discipline you would recommend to be introduced into the penal reformatory schools, not so much looking to education as to what besides education should be the system adopted?—I should first require to have it understood what is meant by education. If you examine that table of Mr. Pearson's, you will find the greater proportion were able to repeat the Lord's Prayer and the Catechism; but that a very small number were really acquainted with the facts of the Gospel, and a still smaller number, only 15 out of 102, knew the meanings of common words, so as to understand what they read. I therefore think that it is essential to introduce a new system of education into such schools, to lead children to understand the meanings of things, and not to teach words by rote, or the most important truths without understanding. I would, therefore, begin education on a system very different from that generally adopted.

950. I will now refer you to Mr. Pearson's evidence. Mr. Pearson is asked, question 2922, "You have already spoken of crime being occasioned by the abandonment on the part of the parent in the first, or in default of the parent, of the parish in the second instance, of the obligations which you think are justly cast upon them; among these obligations do you include the moral and religious education of the children?" Mr. Pearson says, "I do; but I am of opinion that the mental, moral, and even religious instruction of people has much less influence upon the actions of the classes who become criminal, than that education which combines industrial training with it." Do you agree with that evidence?—I am entirely of that opinion.

951. Then, leaving out the mental, moral, and even religious instruction of the children, I wish you to state upon what plan, having these children in the reformatory schools, you would go as to their industrial training?—There are two objects in industrial training, one to give habits of industry, and the other to develope the powers of the child. I consider both as equally important, and all occupation which is felt to be a mere drudgery, in which there is no stimulus to industry, is bad. I, therefore, would go upon the system of making agricultural labour, as much as possible, form a large part of the system of every reformatory school. I would also have some trades taught, not so much with a view of teaching the trade itself as to call out the powers of the child, and also to give him that general skill which might enable him to make himself a more useful member of society, or if he left this country for the colonies, render him more independent. All mere labour, for the sake of occupying the child, without these two objects being kept in view, I think is highly injurious, as was testified by Lieutenant Tracey, when he was examined upon a former occasion, and when he alluded to the occupation of picking oakum.

952. Then, during the time that the children were in this reformatory school, would you give them any share in the profits derived from their work?—I think that there would be no objection to give them so very trifling a remuneration as to be a stimulus to them. At Redhill, for instance, each child has the opportunity of earning three half-pence a week, which is a very considerable stimulus to the child; and I think that such a system is useful, not as a payment for labour, but as an incentive to active exertion. But that I should consider as

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one of the details to be decided by the managers of the school from their own experience.

953. You have now given us what your industrial school would be; will you be good enough now to tell the Committee what penal conditions you would impose upon it?—When I obtained admission for a boy to Redhill, for whom I had received a pardon, I mentioned to the class of boys of whom he was one, and whom I was teaching, that this lad, whom they knew to have been a bad boy, was gone to Redhill; that he would be well taken care of; that he must not leave the place, but that he would be trained to be an honest member of society. They immediately asked me whether he would be paid for his work; I replied, "Certainly not; he must work in order to provide towards part of the expense for his maintenance"; every one of the class felt most strongly, and expressed to me, that his position was far worse than theirs; that they would not wish to change places with him, if he was obliged to stay, and compelled to work without wages;—yet some of the boys of that class were almost starving.

954. Then you conceive that it would be sufficient merely to confine them within certain limits, taking care that they should labour assiduously, and giving them mental instruction at the same time; you think that that would be quite sufficient to effect a perfect reformation in their manners, generally speaking, do you?—I believe that the circumstance of forcibly confining them, and of restraining them from the vicious indulgences which they have been used to, and the obliging them to work in a regular and industrious manner, would be felt by them to be a considerable punishment for their past offences against society.

955. Now be good enough to tell the Committee what is the shortest period of time that you would place them in these reformatory schools?—The very shortest period of time would be a year; but, in general, I should consider that a much longer period would be desirable. That, however, must depend upon the moral condition of the child, and his future prospects in life.

956. What would you do with them after they left these reformatory schools?—That is a matter for after consideration; but, from what I have myself experienced, I have not any fear of a child obtaining employment, even in the neighbourhood, for I have not found any difficulty even in apprenticing boys who were known to have been thieves, when I could affirm that they were reforming and were under my influence. I have also observed the experience of the Continent and of America; in America there is indeed abundance of opening for labour; but yet we must remember that if there were any stain of vice remaining on the child from having been in a reformatory school, the very independent condition of the Americans would prevent their being desirous of employing such a child; yet experience shows that there is no difficulty in apprenticing them out. I would therefore leave it entirely open to circumstances, whether to send the boy abroad, which may often be expedient, or if his parents are in such a position as to be likely to be able to find suitable employment for him, to let them do so, or apprentice him out, according to the discretion of the managers of the institution.

957. To whom would you entrust this discretionary power?—To the Board of trustees or managers of the institution.

958. Then you would not allow Government to interfere at all, in point of fact?—That is a matter for consideration, whether the Government inspector should be consulted or not; but I should at present suppose that the Board of managers, in connexion with the governor of the institution, would be the fitting judges. It may be thought best to have the legal sanction of the inspector, but he would of course be guided by the opinions of those who knew the circumstances of the case.

959. Then does it not strike you, having given this moral and industrial training to these criminal children, that if you turned them out after a year or a year and a half's schooling in these reformatory schools, you would place them in a very much better position than you would place the children of the poor in the union schools?—That involves a very important question; I believe that the experience of these reformatory schools would lead to a very great and much needed improvement in the union schools. I believe that nothing need be done in these reformatory schools which could not with even greater advantage be done in the union schools, and that, as they now exist, they do great injury to society, by bringing up a number of children who are pauperised by their mode of education; that is, they are not trained to be self-acting and self-

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supporting beings. I know that there is very great objection made in many quarters to improving the union schools, arising from, I might almost term it, the narrow-minded selfishness of the rate-payers. I have also known cases in which individuals have desired, from a feeling of enlightened self-interest, if from no better motive, entirely to remodel the mode of managing the union schools. You will have evidence from Mr. W. Whitmore, which will entirely bear this out.

960. Does it not strike you that the objection of rate-payers may arise from this fact, that the children of the industrious labourers who are at home have not nearly the same time for education that the children in the workhouses have, and that if you carried your system of education too high in your workhouses, you would place them much above the state of the general education of the lower classes of society who are not paupers?—In the first place, the system which I suggest need not involve a higher education being given to these pauper children, because I would allow them even less time than at present for actual schooling; I would give them a larger amount of industrial training;—but, in the next place, I cannot believe that any individual is injured, or that society can be injured, by a member of it being put in a better position to maintain himself, which he would be by having a really better education; and I think the effect should be to produce, as I before stated with respect to the ragged school, a stimulus to the other schools, and to the poor generally, to obtain a better education for their children. I have often heard it stated that the higher classes have need to bestir themselves, and give a better education to their children, when we find an education given in the British schools far superior to what many of their children have had.

961. But take now the schools in unions, and the children of the poor industrious man living in his cottage, does it not strike you that the only reason that his children are now taken in preference to the children in the workhouse is, that they have industrial training under the care of their father, but that if you give to the children of the workhouse this industrial training, with better education, they would be preferred to the children of the industrious labourer, and would actually push them out of the labour market?—I believe that the children of industrious labourers will always be preferred to workhouse children; I would take a girl as a servant from a well-conducted family, rather than from any school, because I believe that a well-conducted family is the order of Providence, and is more calculated to develope the human being than any school can do; but, were it the contrary, the effect need only be to lead the industrious poor person to give a better kind of training to his children. I would at once answer the matter by asking the poor person whether he would wish to give up his children to be placed in a poor-house; he will not do so; I have had the greatest difficulty to induce parents to give them up, even to save them from starvation.

962. Then that being the case, ought we not generally to do the most we can for the children of our industrial poor, notwithstanding all things, and their deficiency of education; rather than take children, say, first of the lowest class of pauperised poor, and next, the class of criminal poor?—I believe we ought to do what we can for the children of the industrious poor, but we must recollect that they are independent and would not wish to give up their independence. No honest Englishman would, for any advantages which you can give him. The children who are in the poor-house are supposed to be the children of the State; they are thrown upon society from want of that parental care which nature affords them; society must be true to its trust; and it is not so either with regard to the pauper, or to the criminal children, unless it does the best possible for them with a view of making them self-acting and useful members of society.

963. But surely from your statement now, taking the present condition of education throughout the country, if the State educates these criminal children to the extent which you desire them to be educated, and they become reformed by it and turn out good members of society, would they not, in an economical point of view, be infinitely better to employ than the children of the agricultural or manufacturing labourer who would not have undergone the same process of training?—I would beg the honourable Member to allow me to answer that question by a question, which is most for the advantage of society (taking the case in its narrowest and most selfish view), to have a child disseminating the plague

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plague of sin around him, alluring others to sin in proportion to his powers, and doing mischief in every way possible, or to have an individual supporting himself, and drawing others by his example into virtuous ways? I can only ask, which would society prefer of the two?

964. But do you not think that you would be sinking in condition the child of the honest labourer, while you upraised the condition of the criminal children?—I believe not. I believe that every honest labourer would rejoice, as I have always found they have rejoiced, at every case in which a lost one is recovered. I have found it so practically, and I have never had warmer thanks or greater blessings than from honest respectable persons whom I was not assisting, but who rejoiced that these wretched children were being reformed.

965. Mr. *Fitzroy.*] Do I understand you to propose, that these reformatory establishments should be used as a complete substitute for imprisonment in all cases of juvenile crime?—They would eventually.

966. You propose, on first conviction, to send them at once to one of these reformatory schools?—Yes, unless it should appear that the case is such as that it would be safe to restore the child to the parent on bail. We have heard the learned Recorder of Birmingham mention, that on a first conviction, he had repeatedly restored the child to the master on a certain bail, and that that plan had answered very well. I do not contemplate that cases would frequently occur in which that could be done. Birmingham is in a very peculiar position, on account of the young offenders there, being boys generally in employment which exposes them to peculiar temptations. I believe that in towns such as Bristol, it will be found that the young persons who are brought before the magistrates are not in any regular employment. Therefore, the same thing could not be done everywhere; but if the parents happened to be in such a position that they could be trusted by the magistrates with their children—if they could bring sufficient security to satisfy the magistrates that they would withdraw their child from crime, then I would restore the child on such bail of the parent; but from my own experience, I should not contemplate that such would often be the case; for among all those that I have ever known, I have found that the parents were directly and culpably negligent, and not only negligent, but in many cases participators in the crimes of the children. I find in the police reports a father and a son brought up together before the magistrate, and there was sufficient evidence against the father for being partaker in the son's crime to commit the two. Nevertheless, at the assizes, the father was acquitted, and the son was condemned. I should say, that in such a case, morally, the father must be guilty. We find in the very last month in Bristol, a similar case in which a boy and his father were brought up; the serjeant stated before the magistrates, that he had reason to believe, that the father remained outside the window and held the shoes while the boy went to commit the theft. Nevertheless, the father excused himself, and the boy was committed to prison. I should suppose, that cases would very seldom occur in which children would be convicted of offences against the law where the parents had not for a long while been cognizant, almost accomplices of their crimes, and, therefore, it would not be safe often to admit them to bail; for the good of the child, I would always commit him to the school, unless it were shown that the parents were capable of taking care of him.

967. You would entirely abolish punishment as punishment in cases of juvenile offences, substituting for that punishment a reformatory system?—The term "punishment" is defined in very different ways by different persons. I would, in the case of the child, merely refer to the spirit of the English law, that a child is to be treated as a child; and I would wish that such consequences should naturally follow to the child from his evil conduct, by the withdrawal of him from society, as would be felt by him to be a very great punishment; that would be found to be far more deterrent than the short imprisonment which is now inflicted.

968. I think I understood you to state that you considered the radical defect of Parkhurst to be, that it was a juvenile prison, and that it acted entirely upon the principle of compulsion and restraint?—Yes.

969. And I think I rightly understood you to say, that cases might occur among these juvenile offenders which would require to be dealt with by more correction than was proposed to be introduced into these institutions; if you are to do away with all appearance of prison, and with all compulsion and restraint, how

how would you deal with that sort of cases?—Those cases I believe to be extremely exceptional, and that it is quite impossible, from the previous conduct of the boy, to know whether he will prove to be one of those cases. The little boy I before alluded to was stated, nearly two years ago, in the newspaper, to be "a hardened character;" he afterwards committed a great number of offences, and was in prison two or three times; nevertheless, that little boy, whom I saw last Saturday, has every appearance of a most well-disposed child, and I received such testimony from the conductors of the institution. It is therefore impossible to judge beforehand who will turn out to be incorrigible. If the child proved entirely incapable of being subdued by any other means, then, as in America and at Mettray, he must be handed over to more coercive treatment in order to prevent him from injuring the other scholars.

970. Would you propose, then, to send him to a separate establishment?—I think that that may very likely be necessary; at Mettray they are sent to prison. Such a boy might be sent to such a prison as Parkhurst; but I believe that the measures I have recommended will be found practically more effective than coercion.

971. Do you think that it would often occur that a child, from absence of temptation in a reformatory school, such as the Philanthropic, and separated from his former associates, might appear to be perfectly reformed; but when he became exposed to the same temptations, to want, and to the association of his former companions, would again plunge into his former vicious habits?—We must not in speaking of the child speak of him as a man. In the man the character is to a certain degree formed, he cannot be altered except by a very great change in his mental condition; but the child acts upon the impulse of the moment. It is not generally from any essential evil in his character that he commits the faults which make him a nuisance to society; and I believe that it would be exceedingly unsafe to expose children very soon again (such as the boy I alluded to) to the same temptations; nor do I know how any children can live free from sin, in the condition of things which I described as existing in Bristol, and which ought not to be permitted to exist in any civilised town.

972. But I understood you to say in your former evidence, that in the case of a rebellious or refractory child, such a child must be (I think your expression was) cut off from society, what meaning do you attach to that expression?—What I meant, as far as I remember, was, that in general it was necessary to separate criminal children from the circumstances in which they had proved themselves criminal, and particularly former evil associations; and that if a child obstinately resisted all efforts that were made for his reformation, then as a last resource he must be removed from the school, and sent back probably to prison, or to such a place as Parkhurst. This is done at Mettray and in America.

973. Then you contemplate penal establishments for those who cannot be dealt with under the reformatory system?—Such as at present exist; I believe that a true reformatory system would require very few to be brought back.

974. What evidence do you require of reformation; what evidence can be given of reformation in the Philanthropic, or any society of that sort, except obedience to the rules of the establishment?—In such an institution as the Philanthropic, there are very great opportunities of doing wrong from the freedom of action allowed. In such an institution as Parkhurst, it was stated by Mr. Serjeant Adams before the Committee of the House of Lords in 1847, that he really could not conceive how the boys had the opportunity of doing wrong, they were placed under such strict mechanical discipline; but in the Philanthropic Institution, great confidence is reposed in the boys; they have abundant opportunities of doing wrong; if therefore such principle is infused into them, that they not only abstain from doing wrong, but encourage others in doing right, and show a positive and evident desire to do right for its own sake, and not for any personal advantage, that is the strongest evidence that we can give of their reformation; certainly the strongest that can be given until they are placed in the world to act for themselves. But we never ought to expect children to be thrown upon the world; we should not throw our own children of 14 or 15 years of age into the world to act for themselves; why then should we expect these children to be able to do for themselves?

975. The result of disobedience of the rules of the establishment would be, to sentence a child again to the term of imprisonment, as now constituted?—Eventually,

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Eventually, after every means had been tried by less severe punishment, and by separation for a time from his companions; a day or two of solitary confinement has frequently been known to do good.

976. The result of that system would be, that a child sentenced to a slight punishment only, and sent to the reformatory school, would undergo months of confinement in that school, and would then be transferred to a prison for the term of his original sentence; is that what you would contemplate in the case of a refractory boy?—I do not think that such cases would be likely to occur; it might possibly be done, and I think that the boy should always bear in mind that he is liable to be sentenced to more severe punishment if he prove himself absolutely incorrigible. But suppose, as you were mentioning, the child had committed a slight offence only, it would then be in the discretion of the magistrates to find out whether that offence was merely accidental, or whether it was a symptom of a really bad character and of a continued course of vice. I believe that there would be very little difficulty generally in deciding that matter.

977. I have not read the whole of the evidence that you have given. I am not aware whether you have given any evidence of the advisability of making parents enter into recognizances for the good behaviour of their children; have you turned your attention to that subject?—I have very much; I believe it would be essential in any case in which a child was brought before the magistrates, that if he were returned to the parents he should enter into recognizances for his good behaviour under rather heavy bail, for we have repeated instances in which children have been returned, and in which the parents have only availed themselves of the opportunity to encourage them in crime. Many such instances are given by Mr. Rushton. I need not refer to his evidence, as it is well known.

978. From your knowledge of the circumstances of the parents of children who have come under your notice at Bristol, is it your opinion that in many cases they would be found to be competent to furnish recognizances?—I do not think they would be able, because the cases I have known are very few in which the parents had a sufficiently good character to be ready to give such bail as would be necessary; I think that the parents would very frequently be able, if compelled, to pay towards the maintenance of their children. Among the cases that I have known, there have been very few where it has been absolute poverty which has been the cause of crime. I received a paper from the Rev. Mr. Clay, of Preston Gaol, last summer, giving me the particulars of all the juvenile criminals in the gaol in the month of August, and I was perfectly startled to find that in all cases but one the family was in the receipt of two or three, or even more, pounds a week in wages.

979. As far as recognizances are concerned, then, you think that such a provision could not be put in force?—I think that it would depend very much upon the circumstances of the case, and must be left to the discretion of the magistrates. It would be very desirable to have such a provision, because there might be cases in which the parent was desirous of doing well, and the child, if returned to him, would be put under more control than before.

980. With respect to the maintenance of the children during their separation, in cases where parents were unable to contribute to their maintenance, on whom do you propose that that expense should fall?—On the parish, as at present. According to the present law, I understand that the parent is bound to pay for the maintenance of his child, and, in default, the parish. I do not see why there should be an exception to that law in consequence of the criminality of the child; the State would also be relieved of the maintenance of these children in prison, and therefore ought to bear a large share towards the establishment expenses of such an institution.

981. I presume you are aware that the poorest classes do contrive to keep themselves and their families at a most marvellously reduced rate; do you think that those who are able to maintain their children while they are all living under the same roof might be utterly unable to pay a certain sum per week towards the maintenance of the children in a reformatory establishment?—I am aware of the difference of the capability of the parents in the two cases, and the magistrate must of course take that matter into consideration. Though the living of the child is less as one of the family, yet still it must cost something to the parent. I asked the mother of the little boy that I sent to the Philanthropic Institution whether she did not consider that his actual cost to her was

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at least 1*s.* 6*d.* a week? She acknowledged that it was, and expressed her willingness to pay it if I could get him sent there.

982. Supposing parents to be unfortunate enough to have two or three children at the same time criminally confined, would it not, in your opinion, in many cases, be almost impossible for them to pay towards the charge of all three children?—I mentioned, at the last examination, the case of a family that I knew in Bristol, in which the second son was mentioned in the newspapers as the head of the St. James's Back gang of thieves, and he gloried in that honour being conferred upon him. Suppose the parents had been forced to pay for the maintenance of that boy in prison, would they not then have been very careful to keep their other children out of prison, and not have given the City the expense of having first one and then the other, as has been the case, in prison? I think, therefore, that such a provision would be a very great check upon parents; and I do not see why, as in the case I have mentioned, they should not pay entirely for the maintenance of each child, even if they were reduced to very great inconvenience by it. I should not think it unjust.

983. I understood you to propose that the parish should step in in all these cases; and I ask you, whether it is not probable that a family, receiving no parochial relief, might be able to manage somehow to earn a subsistence for their children while under their own roof, who would not be able to do so when they were separated from them. In that case, I ask you why the parish should be chargeable with the maintenance of these children?—I think it very important there should be a feeling of local responsibility in every case, and therefore, in such few cases as may occur of that kind, it would be no hardship, but rather an excellent provision, to enforce such a duty. It would make all persons concerned in supporting the parish expenses more interested in checking the progress of vice; and I believe that the Christian efforts of individuals will more effectually cause that decrease of vice than any prison regulations that can be made by any Government.

984. The parish is not at present supposed to be bound to interfere with the education of those children receiving parochial relief?—Not with the education; but it is known that an immense number of children are receiving out-door parish relief through their parents, who are not giving them any education, but while receiving the public money for their support are preparing them to be nuisances to society. I know such cases; I know the mother of four boys, who was receiving parish allowance for three; she never sent her children to school to take any care of their education. Two were sent, one after the other, to prison, and she actually was receiving parish allowance for them while they were in prison.

985. That was in Bristol, was it?—That was in Bristol; and that mother is still receiving an allowance for the third. We would gladly take him, and support him ourselves, if the parish would pay to the school the money which it is now paying to the mother to squander on her own vicious indulgences. The same fact has been stated in the report of the Glasgow Industrial School; in that city there are numbers of cases in which the parish is paying an allowance to parents for children who are receiving no education. We would therefore desire that upon proper representations being made, the parish should be compelled to pay the money, if the children are unconvicted, to a feeding industrial school, where they would be supported, or in cases of convicted children, to a reformatory school.

986. With respect to the fine to be inflicted under Sir John Pakington's Act, to which you referred just now, I understood you to object to such a provision, because it was impossible that the child could possess the money, and that it was therefore really fining the parents. I understood, from the general tenor of your evidence, that it is your opinion that it would be very desirable that the punishment should fall upon the parents instead of on the child?—I did not object to the fine under Sir John Pakington's Act on that account, but only to show that there was a great inconsistency in the English law; in the first place, supposing the child incapable of having money of his own; and next, fining the child. That appeared to me to be an inconsistency, and one which leads to the most extraordinary scenes. In the "Edinburgh News," during the course of this year, it is stated "that two children, of the respective ages of two and six years old, were brought before the magistrates; the youngest child attended the learned justice, carried in his mother's arms. The charge brought against them was, that they had been

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been found in the act of laying snares, for the purpose of catching game, in an adjoining field. The crime was proved, at least to the satisfaction of the magistrate, for the evil-doers, aged six and two, were fined each 1 *l.* 6 *s.* 10 *d.*, including expenses, or failing payment, 30 days' imprisonment."

987. Where do you read that from?—From an extract which I made from a publication that one does not usually quote upon such occasions, "Punch;" but he extracts it from the "Edinburgh News," and I conceive that he would not dare to insert it as quoted from that paper if it was not true.

988. You used the expression to-day, with respect to the little boy "sent to prison for forcible confinement," and yet you state that you object to any thing in the shape of forcible confinement in these establishments?—I mean that he is by law detained, that he knows he must be detained there; when he understands that he will be brought before a magistrate, if he escapes, I would leave him so much at liberty that his staying is perfectly voluntary; that is, he has every facility for running away; there are no walls to confine him. This plan is adopted in the Westborough State Reform School. When that school was established, it was supposed that it would be necessary to surround the building with walls; the Governor strongly objected to it; and Mr. Hill has already mentioned to the Committee the excellent results that have attended that institution.

989. Would you limit the number to be confined in these establishments?—My opinion is, that the smaller the number in such establishments, the more effective are they; if the number is large, they should be so arranged, as at Mettray, as to divide the number into separate and distinct families.

990. But in the event of these establishments superseding entirely the criminal detention prisons, I imagine that it would be necessary to have considerable masses of these children together, would it not?—If the Government undertakes the whole matter itself, it would be necessary to do so. In case of the Government undertaking it, some mechanical system must be adopted, such as at Parkhurst; but if scope were given for voluntary efforts, it is very probable that numbers of different establishments would spring up, thus separating the children, beside giving an opportunity to the Government to observe and watch the action of different plans, as there would be inspectors of each school; and this would be the most effectual mode of operation. At the present moment there would be a reformatory school at once established in Bristol, were there only the two provisions made by the Government: first, aid towards the support of the establishment; and secondly, a power of detention, and a power to the magistrate to commit the children. There are at this moment such premises in the neighbourhood of Bristol as are most admirably calculated to contain from 100 to 200 boys. I know individuals who are desirous to purchase those premises, and to establish the school on what they consider to be the true reformatory system. They only have hesitated, and they do only hesitate, from dreading in the first place the immense expense of maintaining such an establishment; and in the second, their not having the power of detention. I believe, then, that if encouragement were given to voluntary efforts, a great number of such schools would be established without any great additional charge to the Government.

991. In the event of these schools being under Government control and management, do you say that restraint would be necessary?—Supposing such an establishment were begun as I was mentioning, the Government inspector should closely investigate the plans and modes of action of the establishment, and then the Government, having certified it, should give a power of detention in the school to the supporters of it, and should make such arrangements as would enable the expense to be defrayed not from voluntary only, but also from public sources.

992. When you speak of the power of detention, do you mean according to our usual mode of detention, namely, surrounding with walls?—No, by no means; I mean only such detention as is now exercised at Redhill towards those young criminals who have been sent there under a conditional pardon. All the children who are at Redhill have been convicted of one or more offences; those boys who go there voluntarily, are under no species of legal detention. The chaplain has only the power of catching them on the ground of their stealing his clothes; but in the case of those who have received a conditional pardon, he has the power, if the boys run away, of sending a policeman to catch them, and, if necessary, of bringing them before a magistrate.

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The mere existence of such a power has a very strong influence upon the boys, and it is found at Stretton-on-Dunsmore that it is quite essential, if the school is to be a substitute for a prison, that such power should exist.

993. But in the event of these establishments becoming general, and consequently a considerable number of young criminals from the same district being gathered together in them, would it not be probable that they, associating together, would plan their escape, and in fact make away from this prison very much more than they do where a small number, gathered from more remote districts, ignorant of each other's habits and associations before, are put in the same establishment now?—I think that on the whole it would be preferable to remove them to a little distance from the scene of their former crime—I would rather say of their evil associations; but I know from experience that where a strong moral influence has been obtained, and where a right system, adapted to the nature of the child, is being carried out, the boys not only do not desire to escape, but they would co-operate with the master if they knew that such was intended by others.

994. Do you know of any instance where considerable masses of these boys have been got together, and where such has been the case?—I know of it at Westborough, because there are between 300 and 400 there; there are no police, and yet the governor states that out of upwards of 300, during three years, only three had escaped. That is a fact.

995. Mr. *Monsell.*] Am I correct in supposing it to be your opinion, that a system of such schools as you describe, if founded by Government, and maintained under Government, would not produce the results which you anticipate from schools governed in the manner which you have suggested?—I believe that the same effects would not be produced.

996. You conceive that that sort of moral influence of which you have spoken would not be likely to exist in such establishments?—Not necessarily; I do not say that it may not exist, but I think it almost certain that it would not exist.

997. But in every case you would contemplate a sort of voluntary contribution of benevolent people, who should in the first instance found the school; who should have the appointment of the schoolmaster, and who should in every particular direct the school according to the regulations of which you have spoken?—Yes, associating only some representatives of the city authorities, and, if it is considered desirable, some representatives of the Government; such mode of commencing schools has been invariable in America; I have carefully studied the reports, and I find that it has been an individual movement, and that the interest of the city has been enlisted in it; I have also, since my last examination, had an opportunity of studying a most valuable pamphlet by Mr. Fletcher, Her Majesty's Inspector of Schools, in which he gives a very full account of the system employed in reformatory schools on the continent, all of which are under voluntary influence; there, the Government has adopted an excellent plan for raising masters, which was a question started at a previous examination; but this will be all explained to you by a future witness.

998. *Chairman.*] Is that the pamphlet, entitled "The Farm System of the Continent," by Mr. Fletcher?—Yes.

999. Mr. *Monsell.*] In a community, such as Manchester for instance, which is very much divided in religious opinion, how do you conceive that the initiative would be likely to be taken with reference to these schools; do you contemplate, for instance, that the members of the Church of England should establish a school if they pleased, that the Roman-catholics should establish a school if they pleased, that the Unitarians, and so on, should establish a school if they pleased, and that then the school should come under the denomination of a reformatory school, upon being inspected by a sub-Government authority, and declared to be suited for that purpose?—That is my idea. I believe that if voluntary action is enlisted, it is absolutely necessary to leave the religious question to the consciences of those who establish the school, and that the only aim of Government is to reform. It is not the aim of the Government to enforce such or such a religious belief upon such and such children, but it is its aim to transform vicious children into useful members of society. The religious difficulty will be entirely avoided if such a course is adopted, because, as in the dissenting schools at present, the inspector would solely look into the management of the school, and investigate whether it carries out the objects intended by the Government, in granting the money and certificate, and would merely inquire from the conductors

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of the school whether they were satisfied with the religious teaching. That plan has answered perfectly in the case of the schools at present aided by the Committee of Council, and I do conceive that that would be the only way of effectually carrying out such schools as these.

1000. In point of fact, a school would become capable of Government or of municipal assistance upon the certificate of the inspector?—Solely upon the certificate of the Government inspector that such school was really carrying out the objects intended, and I think that great injustice would be avoided by taking such a course. A very large proportion, as you may possibly be aware, of the population of Bristol, of the lower classes, are Irish Catholics. A large proportion of the juvenile offenders will consequently be Irish. Now I think there is no reason for our controlling their consciences, and that if the Catholics of Bristol should think proper to establish a reformatory school, the only inquiry of the Government ought to be whether it is carrying out the object intended; and therefore it would be optional with the magistrates to commit children to one school or to another, according to circumstances. Probably you would think proper to consult the parents whether they had any distinct religious convictions on the subject.

1001. I think you spoke of some school in Dublin with which you are acquainted?—I did.

1002. Can you give the Committee any account of the working of that school?—I cannot give the Committee any full account, except that it is not a reformatory school, but a feeding industrial school, which has been set on foot by a barrister of Dublin, who is deeply interested in the subject; he finds that there is very great likelihood of its producing an excellent effect; in fact he feels that it is the only possible way of raising that class of the population which at present is infesting the streets of Dublin.

1003. I think you were present when the Recorder of Birmingham gave his evidence?—Yes, I was.

1004. Do you agree with the Recorder of Birmingham, as to the estimate that he formed of the effect of poverty in producing crime—the exact proportion of the number of crimes that are produced by actual destitution?—I do agree with the Recorder of Birmingham; I believe that the number of crimes produced by physical destitution is small, in comparison with those which are brought about by moral destitution. In one of the poorest parts of Bristol, Red Cross-street, which I was describing to the Committee, I do not hear of many children being convicted; I have never myself known a case in which absolute destitution was the sole cause of crime.

1005. Although absolute destitution may not be the sole cause of any individual crime, do you not think that it is very frequently a cause which induces people to enter upon the profession as it were of crime?—I believe that the moral condition of families has a great deal more to do with it, because I know of numbers of families in the British schools who are barely above destitution, and I know widows who have brought up large families by the labour of their own hands, without receiving a farthing from the parish; while on the other hand, I know many who appear to be in the lowest poverty, who are in rags, and yet the parents are receiving very tolerable wages, at any rate have perfectly the means of gaining support. The cause of the difference between the Ragged schools and the British schools is not poverty, but an anxiety of the parents to bring up their children well which will lead to a positive effort on their part;—there is the line of demarcation.

1006. Have you been able to trace the after career of the children that have been reformed either at Mettray or in the reformatory schools in this country?—I do not know more than from reading the reports; at Mettray they keep a very careful watch over all who have left them, and communicate with them commonly. The same is done in America, and I have read in the reports most interesting communications both from the governor of the school, from the masters, and from the scholars themselves. The same takes place at the Philanthropic Institution, and also at Stretton-on-Dunsmore, where friendly communication is continually kept up with those who have been reformed, and they are encouraged, whenever they desire it, to come back to the institution as friends.

1007. But does a child generally, on leaving one of these schools, where he is supposed to be reformed, return to the district from which he came?—I do not know that. In America they are able to apprentice them out in the neighbourhood.

bourhood. It will so very much depend upon circumstances, that it would be impossible to lay down a general rule. In Birmingham, for instance, to which the Recorder was alluding, a great number could be returned to their masters, and went on well on under the knowledge of the penalty they would incur if they fell from virtue again; while in other situations, for instance those living in the very degraded district in Bristol of which I was speaking, it would not be safe to send them to live again in that very part.

1008. But is it not the practice, in some of these institutions, to send them to the colonies?—Yes; but it would not be right invariably to do that, because such would amount to passing a sentence of transportation beyond the seas upon any child convicted of the slightest offence, which would be a manifest injustice. I think it should be left to the discretion of the managers of the school and the parents, or such authorities as are deemed advisable.

1009. I do not mean that the children were sent against their own will; but, as a matter of fact, is it not very frequently the case that they are offered the opportunity of going to the colonies, and that they take advantage of that offer; at Red-hill, I believe, it is invariably so; they are not kept under any duress? —I mean, to be compelled to go to the colonies. A case occurred in the autumn, in which an offer was made to a youth to go to the colonies, but his parents positively refused to allow him; they could not bear such entire separation.

1010. Mr. *Adderley*.] Have you had sufficient experience in your school at Bristol to be able to give the Committee a satisfactory account of its effects on the juvenile offences?—Do you allude to the school with which I am connected, or to schools generally.

1011. I mean any schools of the description of those which are now recommended?—I can speak thus far, that we have been the means of rescuing a number who had either begun to fall into crime, or were on the verge of doing so; but what I more rely upon is beginning earlier with the members of families whose children would inevitably fall into crime if left in the streets, and without education. That is the particular object of the ragged schools.

1012. Have you any facts that will test the diminution of juvenile crime; have there been fewer cases of trial?—I do not know that that would afford the slightest proof one way or the other, because there are such a number of circumstances which may influence such a result. The circumstance of there being 25 from our school one year, and only 5 the next, does not prove that the school has had a reformatory effect upon these, because they do not come back to school.

1013. I rather wish to know whether there are fewer children who come under the jurisdiction of the magistracy, owing to schools of this description being established?—I very much doubt whether there is that diminution, but I have not the means of testing it; I can only say, that those children who are brought before the magistrates are almost entirely at present children who do not go to school, and who require to have some degree of compulsion exercised upon them in order to enforce their attendance. That little boy, who is now at Red-hill, under sentence of transportation, had the offer, and was persuaded to come to school. I asked him why he did not come. His answer was, "Because I would not bide at school;" he preferred being in the streets. Unless we have some compulsion to keep the children from the streets, the class who are now becoming criminal, and are constantly before the magistrates, will not be influenced by the school.

1014. Do you consider the number of juvenile criminals in Bristol to be on the increase or on the decrease?—I have not the means of saying that; I can only say, from my own general observation, that the bands of juvenile thieves are rather increasing than diminishing.

1015. How many of the three classes of schools which you recommend are there in existence at Bristol?—There is not one of the regular feeding industrial schools; there is a small industrial school for about 40, in Pennywell Lane; the children are selected for their good conduct from the other ragged schools, and they are sent to this industrial school. I do not think that it is necessary to make application to the Government for establishments of this kind; a grant from the Committee of Council will sufficiently assist the feeding industrial school upon the same principle as the ragged day schools, if only there were compulsory

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payment on the parents when they can pay, and on the parish where it is now being given to those children who are vagabondizing in the streets.

1016. My question rather was, not as to the possibility of making such a school, but whether your experience gives an example of each kind of school which you recommend of the three different classes?—We have only the ragged school, at present, in Bristol; the St. James's back school I should consider the type of the free day school, because the other ragged schools in Bristol do not attempt to give a complete education to the children, from want of means. I should consider the Aberdeen, the Edinburgh and the Glasgow schools as types of the feeding industrial schools, and you will hear from Mr. Thompson his testimony to these.

1017. Then in Bristol you would only say that there is the type of the first class of schools?—Yes; but that the second is very much wanted, and it is impossible to reform such districts as Redcross-street without that class of schools.

1018. Is St. James's back school a fair type of what you would wish the first class of schools to be?—It is a fair type, if only it had sufficient monitorial aid, which can be obtained only through the Government grant; the funds of the school do not enable us, at present, to have that staff of monitors which is essential to the good conduct of the school. In other respects I should say it was a type.

1019. Mr. *Fitzroy.*] How many children are there at that school?—In attendance at the day school, about 150, from that to 180; there are above 200 on the books.

1020. Mr. *Adderley.*] Be good enough to state to the Committee what you consider should be the amount of superintendence to a school of that size; I know that this is a point upon which opinion differs very much; but what in your judgment is the amount of superintendence that ought to be given to a school of that size?—I believe that a master and mistress and four pupil teachers, if sufficiently qualified, would be sufficient to manage such a school; such number of pupil teachers are granted to superior schools at present.

1021. There is a great difference between Mettray, for instance, and the school near Hamburg in that point, is there not?—In the number of superintendents?

1022. The number of children under the superintendence of one person?—At Hamburg, they have more superintendents than in any other school, on account of the great number of young persons who are being trained, and who furnish masters for the industrial schools.

1023. In your opinion, what is the greatest number of children that should be under one superintendent in a school of this sort?—You allude to the free day school?

1024. Yes?—I would not advise a greater number than 150; but a great deal must depend upon the size of the premises and the powers of the master; I think that, in general, a smaller action is far more effective than a larger.

1025. Now you stated that, in your opinion, the stigma of conviction was the only distinction between the convicted and unconvicted, which would prevent the two from being dealt with in the same school; are any children who have been convicted of an offence admitted into St. James's back school?—Constantly; and we always hold it out to them, that if they desire to reform, no stigma is attached to them for what is past; they are received in that way, and the master feels it extremely essential that the school should be considered as a place for repentance.

1026. You would remove, then, any stigma that would distinguish between the one class of children and the other?—Do you mean between those who have been convicted of crime, and those who have not been convicted?

1027. Yes?—In the free day school, I would entirely, for this class, because those who have been convicted of crime are not necessarily more criminal than the others.

1028. Then you would make these schools open equally to vagrants, houseless and petty offenders?—Which schools are you speaking of?

1029. Free day schools?—You may make them open to all classes; to any who would not be admitted into the British and National Schools; but it would be useless to receive houseless children without providing them a home.

1030. But for vagrants and petty offenders?—Of whatever description. I would admit

admit them, feeling a perfect confidence that if the master understood his work and threw his heart into it, the children would all be under such influence as would prevent one class from contaminating another. This I notice in the school which I am alluding to, where there are many children of really decent parents as to character, who are thankful to send their children on account of their inability to send them to another school, but who carefully guard against their intercourse with the others in the street either before or after school hours.

1031. In your opinion, would there be any objection on the part of parents sending their children to schools in which juvenile offenders who have been detected of crime are admitted?—There is a very proper objection on the part of those in the higher class which I should desire to keep up; but I have been speaking throughout of a different class, not of the children of the higher class. There is an objection felt by parents of the higher class to send their children to the St. James's back school, and it is one which we desire to keep up.

1032. What is the objection?—Their objection is, because they know that their children will associate with children of very low character; and we should tell them, if they did not themselves feel it, that it would be their duty to keep their children completely aloof from such children.

1033. But are there not in all classes of society children of vicious disposition, whose parents would be anxious to have them sent to schools of this description?—I believe there are such children; but if they are so vicious that the parents wish to send them with a view of reformation, it would be better that they should be sent to a boarding school where a complete reformatory action could be carried out, such as is done in America and elsewhere.

1034. If the law were to be altered for the purpose of meeting your views, you would have no actual conviction passed upon any of these children, so as to stigmatise their character?—They would be brought up before the magistrates, and the case would be proved.

1035. But still sentence would not be passed upon them as criminals?—No.

1036. They would be committed by the magistrate, without any stigma having passed upon their character as criminals, to the charge of these schools?—The circumstance of their being sent to the school would be of itself a proof that they had been committing an offence against society, and in such respect it would be a stigma to any parents to have a child sent to any school.

1037. I understood you to say that a considerable portion of the children in these schools have not been brought up before a magistrate?—But we must discriminate between the free day school and the penal reformatory school, which is a boarding school.

1038. I understood you to say that at the St. James's back school there are children of both descriptions, those who have been up before a magistrate and those who have not?—Yes.

1039. I was referring to that school at the time, because you have no reformatory school at Bristol to which we can allude?—No, we have none.

1040. I think you told the Committee that there was only the one school to which I alluded just now?—Yes, the free day school. May I ask what is your question particularly about that?

1041. My last question was, whether you would so completely remove all stigma of criminality from the children who were sent by magistrates to these schools, that there would be no difficulty in their associating with children who had not been brought up before magistrates?—But children never are sent by magistrates to the free day school; the magistrates do not send them there; they cannot send them there.

1042. Have you none who have been brought up before a magistrate?—Yes, we have a number of them; but we consider that when one of these enters the school, his conduct only is to be the criterion of his treatment.

1043. Therefore, these are children who are brought by their parents or by others?—Yes.

1044. And none are sent by the magistrates?—No, the law does not permit that at present.

1045. *Chairman.*] You mean, in point of fact, that it is not like the Aberdeen system?—No, we desire that it should be done; we wish that the magistrates had the power of saying, "If this child goes steadily to school, on the bail of his parents, we will let him off"; but the magistrates do not believe that that power exists.

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1046. Mr. *Adderley.*] Now you have heard Recorder Hill state, that it was his practice, in Birmingham, to send children in the way suggested?—Yes; but he is a Recorder.

1047. But have you no children sent in the way that Recorder Hill described, to master tradesmen, and so forth?—I apprehend that magistrates do not think they have the power which the Recorder thinks he has; but, besides that, Recorder Hill is placed under peculiar circumstances, and takes a certain responsibility upon himself, with his own knowledge of the law; but, ordinarily, magistrates would not feel that they have power; I know that they do not believe they have it.

1048. Is there a reformatory school near Bristol of which you have much knowledge?—There are individuals who are earnestly desirous to establish a reformatory school near Bristol.

1049. But there is none in existence?—No; but there are premises that are admirably calculated, and the parties concerned are only deterred by the want of Government aid. They may, perhaps, be able to establish one to develope their principle.

1050. Can you state of your own knowledge as to reformatory schools abroad, that parents are in the habit of sending children, who have not been guilty of any crime, to the charge of such schools?—I can only state, from my study of the reports in America, that many parents thus send their children.

1051. Are you aware that that takes place in European reformatory schools?—I know that it does at the Rauhehaus, at Hamburg, and at others; but that probably you will hear from other witnesses.

1052. Do you not suppose that that will probably be the case in England?—I would certainly render it optional with a parent who desired, upon proper payment, to do so. In the American reformatory schools the children who are sent by their parents are all paid for by the parents.

1053. Have you full knowledge of the working of workhouse schools in England?—I have studied the subject; and from the best study that I have been able to make, it appears to me that the system is calculated, as at present in general carried on, to rear an immense number of paupers; that there is not that developement of their powers and that independent action which is essential to a good reformatory school.

1054. Should you say that the education that is now carried on in our workhouses has a demoralizing effect upon the children?—I think it has, in respect of crushing their powers and degrading their character to a very great extent.

1055. You have talked of the prison schools as being injurious to the character of the children; should you say that the workhouse schools were equally injurious to the character of the children?—Do you mean by prison schools, schools in prison?

1056. Yes?—I do not recollect that I said that schools in prisons were in themselves injurious, but that the whole prison system was injurious.

1057. Should you say that the workhouse system was equally injurious to children?—It is very difficult to form a comparison between the two.

1058. In your opinion is it not similarly injurious?—Not similarly.

1059. Have you had much experience upon this part of the subject?—I have examined them to a certain extent; I have seen some, and I have read a good deal upon the subject.

1060. Would you be good enough to state as distinctly as you can the comparative standard of instruction which you would recommend in such schools as you have now suggested, as compared with the instruction that is given in private schools; would the standard in the third class that you have suggested be much the same?—They would probably differ somewhat upon this account; in the free day school there is no compulsory attendance; it is much more irregular than in the British and National schools.

1061. But you would aim at the same standard, would you not?—I should not aim at as high a standard, because I believe it impracticable to come up to as high a standard as in the British and National schools, and it is on that ground that the Committee of Conference have been memorializing the Committee of Council for a lowering of the standard for the free day schools.

1062. Would you use the same books?—I do not think we can improve upon them; we do in the free day school as far as possible use the same books.

1063. Will you be good enough to name the books that are used in the first class

class at the St. James's back school, as far as you can recollect?—We use the whole series of books prepared by the Irish Board of Education, but the higher books are very little used; it is the lower books, the first and second books, which are in the greatest requisition; there is only a very small proportion capable of reading the third book, and still fewer capable of reading the fourth book, which would be the book most commonly used in the British and National schools.

1064. I conclude that it is for want of power that you would not be able to carry out as high a standard of education, although your object would be if possible to do so?—I would aim at as high a tone of education as possible, because it always does good to the human mind to elevate it; not to give it a mass of materials which it cannot use, but to strengthen and improve the powers; I know from experience that there would be insuperable difficulties to raising the children in the Free Day School to the same rank of education and knowledge with the British or National schools.

1065. Would you keep the children in these reformatory schools for a longer or shorter period of education, do you suppose, than in the primary national schools?—For a shorter period, in the Free Day School, because they will be more quickly called out to be useful in the family, or to earn their living in some way. It requires a certain amount of income to enable a parent to afford to let the children come to school.

1066. Do you propose that these schools should be open both to boys and girls?—Do you mean the reformatory schools?

1067. If there is a distinction upon this point, according to the kind of school, perhaps you will be good enough to state it?—In the Free Day School, we have been in the habit of having it open equally to boys and girls, and have never found any inconvenience arising therefrom. In the evening Ragged School it is necessary to make a certain distinction, because there is not that permanent moral influence upon the children. There is a greater difficulty in schools where the children live entirely on the premises. My own strong opinion is, that in proportion as the master can obtain a real moral influence over the school, it is highly desirable to have both girls and boys in the same establishment, with such very careful restrictions as will prevent any danger arising from it. This plan has been adopted in the New York reformatory school; at the Rauhehaus; and generally in the reformatory schools in Prussia and Germany. Such a plan will have an excellent effect, I think, both upon boys and girls, as returning more closely to the family system, which I believe to be the most healthful one; but unless there is this moral influence acquired, it would be undesirable to have both sexes together, and there should always be considerable separation arranged for in the establishment.

1068. What is the industrial training of the girls that you propose, corresponding with the industrial training of the boys?—In all industrial establishments there is a very great amount of house-work, which very probably would devolve upon the girls, as preparing them for their future position in life; this occupation calls out the girls' minds, very much in the same way as agricultural labour does a boy's mind, and the establishment may be conducted with very much less comparative expense if boys and girls are in the same school, as they will perform different departments of work.

1069. Do you think that any good reformatory system can be adapted to, and will suit all England?—I do not; because there are different wants and different circumstances in almost every different town or district of England, and on that account particularly, among others, I feel that it would be important to leave localities to establish these schools, only laying down such Government regulations as should enforce upon the localities the necessity of doing it, if voluntary action had not already commenced it within a given time.

1070. Do you think that any of the institutions abroad would serve as exact models for similar institutions in England?—I do not think that possible, because the circumstances are different. The institution which I should desire most to imitate in all respects, from what I have seen and studied, would be the Rauhehaus, and yet it would be impossible exactly to imitate that; but if we study the principle of these institutions, then individuals will be able to adapt those principles to the particular circumstances of the case.

1071. You do not think that the whole question would rest upon different principles in the two countries, as for instance, in America and England?—No. I believe human

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human nature to be the same in all countries, and that the child, particularly, can be acted upon by similar means in all.

1072. You do not seem to anticipate more difficulty upon the religious point in your schools than exists in our prisons and public institutions at present?—I do not expect as much difficulty if the voluntary system is adopted, and if all bodies establishing reformatory schools are allowed to carry out their own individual convictions.

1073. Do you know of any Acts of State in the United States which would serve as models for Acts of Parliament in England with reference to this subject?—There are Acts of the Legislature which might be very useful as models.

1074. Will you be good enough to mention those Acts?—I cannot do that; but a *resumé* of them will be prepared from the reports, by Mr. Power, for insertion in the Appendix.

1075. I will now turn your attention to an answer which you gave with reference to Mr. Quecket. I understood you to say that Mr. Queket would not admit a child out of prison to his school: I presume if the law were altered, as you now propose, that he would admit in his school the same class of children who now come under the jurisdiction of the magistrates?—I think he rather presumed a case that he considered impossible, namely, that any such children should apply to him for admission: he would not wish to admit a criminal child.

1076. How many children of those classes which you call dangerous are now in his lower school?—None at all. He particularly stated to me that in his parish there were none of those that I should call "the perishing and dangerous classes," and, in fact, the children in his very lowest school were many degrees raised above the children of our Free Day School. He said that he had never heard a case of a child from any one of his schools being imprisoned.

1077. Do you think that this subject is now ripe for legislation in England, or would you propose further individual efforts as a tentative process, to give us more experience before legislation?—I think it very important that individual efforts should be at once encouraged; but they can only be encouraged if there is thus far legislation, that power should be given to the Government to certify schools which appear to them to be carrying out the object; that aid should be given in supporting such schools, and that magistrates should have the power to commit the children to them, leaving it discretional, as at present, in the magistrates; this would be a tentative process. The Government has already virtually done so with respect to Red-hill, for that institution is conducted entirely by voluntary efforts, and yet Government, even without any formal certification of it, has committed children to it.

1078. Mr. *Tufnell.*] You stated in your evidence that you considered, that if there were a certain degree of mixture of boys and girls in the reformatory schools, that that would very much conduce to the moral effects in both; are there in this country any instances of reformatory schools being established for girls?—There are no public institutions that I am acquainted with; but I have heard from the chaplain of the Liverpool gaol, whom you can question, that there is one of the kind in Liverpool, to which he has greatly desired permission to send the girls, instead of their being exposed to contamination in the prison. I believe there are few private experiments of the kind which have been made, and I greatly lament that there has not been as yet that attention paid to the condition of girls which I think to be exceedingly necessary, for although girls may be considered altogether as rather more virtuous than boys, if they are kept out of temptation, yet when they do once fall into vice, they are even more dangerous to society. It is therefore very important that greater attention should be directed than has hitherto been done to girls, especially when we remember that they are to be the mothers of the next generation. I have known numerous instances in which a family has been well brought up, with a bad father and a good mother, but I have never known an instance of a family being otherwise than vicious with a bad mother.

1079. *Chairman.*] Do you happen to know of the existence of an institution of the kind in Cheshire?—I do not.

1080. Mr. *Tufnell.*] Will you be good enough to give the Committee an idea what would be the difference of effect of reformatory discipline upon girls as contrasted with boys, whether the girls would be more or less difficult to reform; what the effects of prison discipline would be upon them as contrasted with the boys; whether they feel the degradation more or less; whether they are in general

general more or less advanced in moral and religious instruction?—The class of girls corresponding with the class of boys in our Free Day School have not yet proved themselves amenable to the school influence. In numberless cases the boys have attended the school, and have shown a disposition to learn, while the girls in the same family appear to have been hopelessly sunk. I have noticed this very remarkable circumstance in connexion with our school, that we have never had more than one instance of a girl who has been in prison from our school, and yet, I believe, that there are as many criminal girls as boys in Bristol.

1081. Not convicted, I believe?—Probably not convicted, but there are many that are convicted, and of young women a very large number. In the class of children attending the British schools, having taught them, and having read the reports of the inspector, I should say that the girls were quite as easy to instruct, and showed equally as good disposition and more so than the boys; but that in "the perishing and dangerous class" the girls are very far sunk below boys. Nevertheless, when we can get them under influence, and we have at times collected in the school some very miserable ragged girls, there has been a more striking and perceptible effect produced upon them in a short time than upon the boys. Therefore, I believe that proper influences brought to bear upon them before they are fixed in sin would prove very efficient. With respect to the difference of effects of prison discipline upon them, I am inclined to believe, especially upon the testimony of Mr. Carter, that it is more injurious than on boys, and in most cases a girl feels more hopelessly sunk in degradation than the boys.

1082. You stated that you wished to have some industrial training different from the boys; do you mean similar to that at the institution at Norwood?—I have visited that institution, and suppose that such work will probably be found sufficient. There are in a large establishment various household labours which may be left for girls, and their ingenuity may be called out in manufacturing articles of dress; I have observed that that is interesting to girls.

1083. I believe that the number of girls convicted is very small in comparison with that of the boys?—It is in Bristol certainly; and probably from a feeling on the part of the magistrates of a dislike to convict them. Two little girls were lately brought before the magistrates for committing what in the boy would have subjected him to be sent to prison. The magistrate remanded both of them, and gave them up to their parents. And yet in neither case would the parents be at all able to control them from falling into evil.

1084. You are of opinion that the reformatory discipline, as contrasted with the prison discipline, would be more necessary with regard to girls than even with regard to boys?—Yes.

1085. Mr. *Cowper.*] Do you consider that the success of the reformatory schools depends upon their being managed by schoolmasters of rare and unusual qualifications for the task, or being managed by the average description of masters that you have found in the primary schools?—I think that if the master has his heart thoroughly in the work, and is desirous to undertake it, he will, after a time, gain that amount of experience which will fit him for the work. The master that we have in our Free Day School did not show himself at all peculiarly qualified for some time. He showed a power of teaching, but not a power of gaining possession of the minds and hearts of the children; and at present I should say he is peculiarly admirable in that respect. I believe, therefore, that if the work were begun, and facility were given, as in the schools on the Continent, for the training of such masters, under such influence as has been proved effective, in Germany under Dr. Wichern, in England under Mr. Turner or others, who have shown themselves to understand the system, in a very short time masters would be found who would be adapted to it, though they would not be masters who would be prepared to carry on the instruction given in ordinary British and day schools.

1086. Therefore, do you think, with reference to these reformatory schools of which you have been speaking, that the system on which they are managed would ensure their success, even if they had not the advantage of a master of unusual fitness for his task?—I do not think they could be well conducted except by a master fitted for the task, but I think that such master would gradually improve and form himself from experience.

1087. Then do you think that if the master was not exceedingly well qualified

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to win the hearts and affect the minds of his children, that these schools would not prove reformatory to the children in them?—I believe that it will be solely in proportion as the master, and all who are concerned in the school, have that power, that the schools will prove to be reformatory. They must be aided by the other means which have been suggested, such as industrial occupation, and so on.

1088. And was it with reference to the good selection of masters that you wished these schools to be set in motion by persons interested voluntarily in them?—Partly so. If Government establishes such a school, it is impossible for it in the first place to have full knowledge of the qualifications of the master; or in the second place, to have such constant observation of him as would ensure his being only retained if he proved capable; if it were under considerable local inspection, and if the master were aided by the voluntary efforts of individuals interested in the object, there would be a much greater certainty of a good master being secured. In America, not only are individuals encouraged to aid in the management of the schools, but voluntary teachers from a variety of different denominations are encouraged to assist in the work of Sunday instruction; that has been found to be a very excellent addition to the plan.

1089. From your experience of the subject, do you think that any test can be applied for the purpose of ascertaining whether a schoolmaster has the qualifications for the moral training of such outcast children as these?—I think that the first and indispensable criterion is his own earnest desire to accomplish the work; without that, nothing can be done. A certain educational knowledge should be required, reading, writing, and so on, and the knowledge of the mode of communicating instruction, which he might gain, if he was earnest to do so, in a normal training school; an inspector could only test his fitness by seeing after a time how he was able to carry on the school. I do not think that any certain rule could be laid down which could enable an inspector beforehand to ascertain whether any master would prove efficient.

1090. Since the chief qualities for managing a school of that sort are sympathy, firmness and a sense of justice, these and other qualities could only be ascertained by those who continually watched his conduct and manner of dealing with the children?—Certainly. In mentioning the qualifications, you did not mention a strong religious character; but, doubtless, you consider that that is always included.

1091. I thought it might be more easy to test that than other qualities, but I presume there would be so many qualities necessary in a master which could only be perceived by those who had continual access to the school?—Yes; and that the master could easily bring the school into such a state as would satisfy an official inspector, when, in reality, he was not at all equal to the real conduct of the school.

1092. Supposing that these schools should be established in the manner you contemplate, have you any prospect of a sufficient number of efficient schoolmasters being found to manage them?—If such a question had been asked 30 years ago, in Germany, the answer would have been, probably, in the negative; and yet we find that numbers of most devoted teachers, missionaries and others, are being poured forth into the States through the need being felt, aid in their training being given by the Government, and the powerful spiritual influence being infused by the devoted and the earnest. I think that the same may be calculated upon in England.

1093. You therefore think that, if there were a demand for such masters, the supply might arise?—I believe so.

1094. And so you think that, as the ragged schools in the great towns found such masters as they required, that then the reformatory schools, who required a different sort of master, would be still able to get them?—I do not believe that the ragged schools have found such a class of masters as they require, because the insufficiency of funds, and various other reasons, have prevented them from offering such a salary as would lead any respectable masters to offer themselves. I do not think that that has been yet fairly tried.

1095. But with respect to those ragged schools that are managed by gratuitous teachers, who give their time occasionally to them, are not those schools sufficiently provided with masters?—No, not by any means. It is the increasing complaint of all who have to do with ragged schools, that gratuitous teachers cannot be depended upon. I would not throw any blame upon them; but I

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mean to say that unless persons make it their positive business and determination to give a certain portion of their time to such an object, they will only go occasionally; and no school can be efficiently conducted unless there is a regular and certain attendance of the teachers.

1096. Do you consider that the art of teaching is such a profession that it must be continuously pursued?—No; I have found that many persons who believed they could not possibly teach, and who have only been animated by an earnest feeling to do good to these children, have discovered powers in themselves that they were not aware of before. I think that will be found to be increasingly the case.

1097. Mr. *Miles.*] Do you see any particular objection to divide the classes of schools, first of all making your penal school; secondly, that which would be partly penal and partly industrial; and thirdly, the ragged school?—I would not draw any distinct difference legally between the ragged and the industrial feeding school, but leave them entirely to local circumstances; I would only have positively a penal reformatory school; then such provision of the Committee of Council as would give to the perishing and dangerous classes a fair share of the grant from Parliament, and then certain regulations preventing children from vagabondizing.

1098. But looking at the present state of the law, children tried before a judge or a chairman or a recorder, immediately they are found guilty become as it were creatures of the State, and are paid for entirely by the Government during their detention. Do you not think, that those who have been tried and sentenced may be placed in penal schools instead of prisons, those penal schools to be entirely directed and controlled by the Government?—I do not.

1099. The second class of schools, containing those children who may have been brought before a magistrate and committed, or who may have been judged by their parents to be of criminal propensities, and wanting control, being fed partly by the public grant and partly by private contributions; do you see any objection to that?—I would solely draw the line that I drew before.

1100. The third class, namely, the ragged schools, being left entirely to private contribution, with an aid, if possible, as far as masters go, from the Committee of Council on Education; do you see any objection to that?—No.

1101. The Marquis of *Blandford.*] I think you said that you would have penal reformatory schools; how would you establish their penal character?—When I said that, I merely meant that they should suffer the penalty of compulsory detention for the offence which they had committed.

1102. That penalty not going further than a penalty to effect the good conduct of the child. Then there are two classes of children, those who have been detected in crime and those who have not; clearly as far as culpability goes, one is as culpable as the other; would you draw no distinction between those children in the schools?—The schools that I have been proposing have been exclusively, as far as we have been speaking of them, for those who have been convicted of crime.

1103. Mr. *Adderley.*] But you would not make any distinction?—No; I may quote the opinion of the master of the Red-hill school: I do not consider them morally culpable in many instances, nor do I believe that their moral culpability can, in the slightest degree, be estimated by their legal culpability.

1104. And you would wish to obliterate all stigma?—Yes, as soon as the child himself shows that he is reformed; that is, when he comes reformed out of the school, he should be in as good a position as formerly.

1105. The Marquis of *Blandford.*] These schools would contain merely those children who had been brought either before a magistrate or petty sessions, or quarter sessions or assizes; but you would not mix up with those children other children who, though perhaps equally criminal, might not have been placed in a similar position as regards the law?—I have been only speaking of those children, but I do not see any objection in my own mind to pursuing the plan that is now adopted in America, of allowing any other children to be brought; nor do I believe that thievish children are at all in a lower moral condition than mendicant children. I would sooner at any time undertake to reform a thief than a mendicant.

1106. Mr. *Hardcastle.*] I think I understood you to say, that no family goes on well in these classes where there is a bad mother?—Yes.

1107. I also understood you to say, that the girls in the class that came under your

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your inspection are worse than the boys. Do you think that this is the case where the mother is well conducted as well as where she is ill conducted?—I believe that in well-regulated families among the lower classes, the girls are equally well-disposed with the boys, but that the peculiar character of boys enables them, in many instances, to resist temptations which prove entirely fatal to girls; and also the mere circumstance of the boys' dispositions leading them to enterprise and carrying them out into the streets, saves them from a degree of degradation which the girls are exposed to from being employed entirely in the houses, and having nothing to call out their minds. I have therefore found it very much more difficult to awaken the intellectual powers of girls of this class than boys, or to interest them in instruction.

1108. I suppose that that arises in a great measure from the effect of your taking them at a lower point of degradation than the boys?—The girls, I consider, are much more difficult to influence than the boys in the same family; but if they were placed under proper circumstances, that would not be the case.

1109. Mr. *Miles.*] Have you yourself visited Parkhurst at all?—I have not.

1110. Are you aware whether any extensive changes have been made there lately?—I am not.

David Power, Esq., called in; and Examined.

David Power, Esq.

1111. *Chairman.*] I BELIEVE you are a Barrister-at-law, and Recorder of Ipswich?—I am.

1112. Have you paid particular attention to the subject of juvenile crime?—During the last three years I have paid great attention to it, both professionally and in other capacities.

1113. Does the present system of treatment of juvenile crime in this country appear to you to be defective in many particulars?—Entirely so.

1114. Will you be so good as to point out to the Committee in what respects it seems to you defective?—I cannot illustrate it better than by mentioning what I felt compelled to do in Ipswich. So strongly do I feel the evil of committals for short terms of imprisonment, that one of the first steps I took was to call some of the principal inhabitants of the borough together, with a view of establishing, if possible, an institution, in which we might get together the children after they came out of gaol, in order that they might be reformed. The very fact of the recorder of a town, whose duty it is to commit young prisoners to gaol, feeling it also part of his duty to get an institution established by which he could do away with the ill effects arising from the sentence he is compelled by law to pronounce, argues very strongly against the expediency or justice of the present system.

1115. One defect, as I understand you, in your opinion, is the custom of awarding short sentences of imprisonment?—Yes. Another objection that I have is this, that reformatory treatment in a gaol is perfectly impossible, for this reason, that the genius, if I may say so, of gaol discipline is the restraint of the individual; and what a convicted child wants is not to be restrained, but to be given a character in himself, by which he may be able to resist the temptations to which he will be exposed when he leaves the gaol.

1116. Has any observation occurred to you with respect to the present system of payment of costs of prosecutions as bearing upon this subject?—Yes; what seems to me to be a great evil in the present system of costs of the prosecution, and of the offender's maintenance in prison, is this, that the responsibility which ought to attach in the first instance to the parent, and in the second place to the community, of which the child forms one, is, by the very fact of committal to a prison, taken away from the shoulders of those upon whom it ought to press, and put upon the State; and then, when by a series of committals and re-committals the child at last gets transported, the burthen is entirely removed from this country and put upon another country. In this way, neither the parents nor the community, nor eventually the State, have any pecuniary interest in preventing juvenile crime, but the contrary.

1117. Do I understand you to be of opinion, that inasmuch as the costs of the prosecution are not now paid by the district but by the Government, inasmuch as it does not localise the charge as it did formerly, that that, *pro tanto*, produces an injurious effect?—Yes; the whole principle of the Anglo-Saxon law was contrary, and that seems to me philosophically the far better principle. There the community of which the offender formed one was directly responsible for the crimes

crimes that were committed within it. Until the passing of the 7 & 8 Geo. 4, that was still the law of this country, both with respect to the offence of arson, highway robbery, and violence done in cases of riot. The hundred was liable in damages for the crime committed by the offender. And this is still the law with respect to offences committed by rioters. There is a case in the books where, in an action against the hundred, a plea was pleaded that felons from time immemorial had robbed on Gad's-hill, and therefore that the hundred should be excused; but, however, that plea was overruled.

1118. I believe the report states that the court did not treat the plea with much respect?—The court did not treat it with much respect.

1119. Does any other defect in the present system occur to you which you think it important to mention to the Committee?—The fact of parents at present not being compellable to pay any portion of the cost of the child's maintenance in a prison or reformatory establishment, I think also to be a great evil.

1120. I have no doubt that your attention has been turned to the subject of the remedies for these defects; if so, be good enough to state what you would recommend?—The first remedy that I would suggest would be that which Mr. Hill and Miss Carpenter have also been heard upon; namely, the establishment of reformatory schools in lieu of prisons. I do not quite agree with Mr. Hill with respect to the mode by which the committal to and detention in a reformatory school should be enforced. If a child, and I should feel disposed to fix the age somewhat lower than Mr. Hill states, 13 or 14 instead of 16, were taken before a magistrate and charged with any offence known to the criminal law, upon the charge being established to the magistrate's satisfaction, the child should be at once committed to a reformatory school.

1121. Do you mean a charge involving felony, or dishonesty, or vagrancy?—Any one of those charges which are comprehended in the return that was moved for by Sir John Pakington, and to which the attention of the Committee has been called. Now I find by that return, that of those committed, there are not more than 2,020 in a year under 13 years of age. If these were treated under a reformatory system, the source from which adult crime is supplied would be greatly diminished.

1122. I think you were going on to state the manner in which you would deal with the child when brought before a magistrate?—It appears to me that if the offence be proved against him, that then the magistrate should make out a commitment, committing him to this reformatory school (I am assuming that that is in existence); and that no time should be mentioned in the commitment, for the nature of the crime committed by the child forms but a very slight index as to the degree of criminality in the offender.

1123. What should the commitment express, because, inasmuch as it warrants the power of detention, there must be something of precision about it?—It should state the nature of the offence charged; that the child has been convicted on due proof thereof, and then should order that the child be kept and detained in a reformatory school, mentioning it; and the whole right and title which by the law of England vests in the parent over the child should, by reason of such commitment, at once pass to the managers of this school, so as to place them entirely *in loco parentis*. The parent has full power to administer reasonable punishment to the child; he has full power of detention; in fact, to do all those things which the managers of the reformatory school would require.

1124. At what age would you render a child liable to be so treated?—The age at which a child, if that power were given, would be so treated would be during his minority, up to 21.

1125. Beginning at what age?—As I have explained, I would in no case send a child who was more than 13 or 14 years of age; you would thus get hold of children who had committed a first offence, and who would therefore have no deep tinge of criminality upon them.

1126. Your provision would not extend to the case of anybody above the age of 13 at the time when he was first sent?—13 or 14.

1127. You were proceeding to state your views as to the best principle upon which reformatory schools should be founded; will you favour the Committee with those views?—I cannot do better upon that point than call the attention of the Committee to the working of a class originally established in connexion with the Brook-street Ragged School.

1128. Is that school in London?—In London.

 1129. Where

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1129. Where is Brook-street?—Brook-street is in the New-road. The class to which I have called the attention of the Committee originated out of a ragged school that was forming there, and it originated in this way: three boys were at first taken in: the funds were exceedingly small; and those three boys, after being there a short time, begged that two others might be taken in: they were told that the funds were very small; upon which they said they were willing that their rations should be divided into five portions, in order that their companions should participate in the benefits and advantages which they had received. That class was added to until they increased to 15. Any of the police connected with the S. division can state the nature of the offences that those boys had committed. I have now before me the account where every one of those boys is at this moment.

1130. When was that school instituted?—In 1848; from that time until now, there is not a single one of those boys who has again relapsed into crime, and they have been the means to an indefinite extent of operating upon the minds of their former associates in inducing them to leave off their vicious careers; one of those boys is here now, he is behind me, and if it be the pleasure of the Committee, they can ask him any questions which they may feel necessary, with a view of testing the nature of the system adopted.

1131. Upon how many boys has this system been in operation since 1848?—Fifteen. The funds have been but limited latterly: the person who has been superintending the class since April 1849 is one whose means are not great; he is also in this room; he is simply a shoemaker himself, and he, with very little assistance, has been carrying on the establishment until some of these lads who were once pests of London society have been getting good workmen; they have proposed to remain with him, and no doubt they will, until they are able to return to him the money which he has been compelled to lay out in training them.

1132. What is the name of that person?—Mr. Ellis is the name of the master.

1133. Has this been entirely a voluntary effort on the part of Mr. Ellis, supported by contributions of benevolent persons?—Entirely a voluntary effort on his part.

1134. Did the design originate with him?—The design originated with him; it began, as these matters often begin, by taking one or two boys in the first instance, and gradually the circle became enlarged in the way I have described.

1135. How long have any of the boys been kept there?—Of those who were originally there, I do not think there are more than four or five still with Mr. Ellis. These are now residing with him, at 14, Stebbington-street, Oakley-square. I ought to say that, in addition to the 15 I have mentioned, six others have been taken in.

1136. Who were these boys?—They were chiefly London thieves; one of them had been in prison as many as six different times; another twice; and a third was well known to the police in the neighbourhood as a boy who planned the robberies which his more venturous comrades executed.

1137. You were about to state, I think, that you held some paper in your hand containing information with regard to these boys?—The paper which I hold in my hand contains the names of those boys, and what they are doing now.

1138. From what information is that paper made out?—From the journal which is kept by the master of the school.

1139. By Mr. Ellis?—By Mr. Ellis.

1140. Who is here now?—Who is here now, who would be most willing to give evidence as to the way in which he has acted upon these boys by way of producing what it appears to me, as compared with every other work in the way of reformatory treatment, is above all things satisfactory.

1141. Perhaps you had better refer to that paper?—I will. When these boys were called together, "A. was the first to rise and speak. He said he was truly grateful that he was where he was that night. At the age of 17 he found himself in possession of 1,700*l.*; father and mother dead; he was then living in the public-house in which he was brought up. This money he spent in seven months; then borrowed as much as he could of his sister; robbed everybody he could during 18 months; was at last detected in robbing a pawnbroker of property to a large amount; was convicted and transported to Gibraltar for 10 years." "He said he was now determined to lead an honest life, although he had met his old companions; and he 'knowed' of a plant that night of 50*l.*;" but, added he, "my

" my lads, we can't lay down happy at night; you know it as well as I do when we go on so; let us all like one stick together, and do the thing that's right." He was followed by two or three others, who gave the histories of their lives; and after this, this little band of thieves formed themselves into a society; they made rules, and they established fines; one of their fines was that a slice should be stopped from the meals that were given to them; they prohibited smoking, swearing, or being dirty after nine o'clock on the Sunday morning; in fact, as far as possible, they were a self-controlling community.

1142. Is this school alluded to in the report of the Conference?—Yes; but if the Committee will allow me to give them one or two of the results I shall be greatly obliged to them, "A. is now living with a gentleman, Mr. Engell, 15, Euston-square, as servant, and has been nearly two years there with the greatest credit to himself and the school he belongs to; is a teacher in the school, and is everything that we would wish." I believe that that gentleman, on being referred to, would say to any person that this returned convict is a servant in whom he reposes the highest confidence; he is coachman there. "B. is getting his living by wood-chopping; and this day (11th May 1851) we have an excellent account of him from his landlady for honesty and industry. This young man had been in prison 14 times, at the station-house 30, and admitted he was not detected once in 20 times." His master now tells me that he has so established his character, that he can borrow 2*l.* or 3*l.* of his neighbour in case of receiving a large order to execute; he is now living at Fitzroy-place. "C. is getting his living by white-washing." And so with respect to all these lads, the whole 15; every one of those boys at the present moment is getting his living in an honest way, and without being of the slightest expense to the community.

1143. Do you know personally any other reformatory institution?—It was seeing what I did here that induced me to help to establish that school at Ipswich.

1144. When did you do that?—About 14 months ago.

1145. What is the kind of treatment that is adopted there?—Of a similar kind to that I have already mentioned. To endeavour to make the boys, in the first instance, trust their teacher; and then to build up in the boys a character which would enable them, when they came out of the school, to resist the temptations to which they would be exposed, and thus get an honest livelihood for themselves. I may say, with respect to those boys who were there, that they were boys of the same class as the boys I have already referred to. Two of them the other day emigrated to Australia. I have very little doubt that both those boys will be valuable emigrants there. These boys at Ipswich, like the Brook-street lads, formed themselves into a little self-governing community; and one law which they made was, that not one of their companions should go to bed without saying his prayers; and at one time they kept a little boy out of bed a considerable time until he had followed the command. They made their bedsteads; they made the chairs on which they sat; they made the tables upon which they ate their food; they helped to fit up the fittings of the carpenter's shop: indeed, from the very first moment they entered into that establishment until they quitted it, their interest, as it were, was enlisted in the work, and everything that would develope self-control and self-restraint and character, as it were, in them, was sedulously attended to.

1146. Who were those boys in the institution at Ipswich; how were they supplied?—They were supplied chiefly from the gaol.

1147. Had they been convicted?—Many of them. One boy was a remarkable instance; he had been a sailor; but, however, he was robbed of his money in some low brothel in London, and he came as a tramp about the country, and he was committed for vagrancy by the Ipswich magistrates. After he came out he was taken into this school; he became a most efficient teacher in the ragged school, and, by the assistance of one of the magistrates, he obtained a berth on board ship again. He has been several voyages; he has given, I believe, great satisfaction to his captain; he has written several times to the master of the school, and has expressed his determination, as soon as he can save sufficient for his passage, to send some money for the support of the school, from which he himself feels conscious he has derived so much benefit.

1148. Did these boys remain in gaol until their sentences had expired, and then go voluntarily into the institution?—Yes; they were asked, and they went in.

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1149. They were advised to go in?—Yes.

1150. How many have there been?—I think about eight boys and two girls. There were two girls, who, from 12 years of age, had been leading a most immoral as well as thievish life in Ipswich, One of them has since obtained a very respectable situation in Ipswich, and the other has been returned to her father, (both father and mother had been living in adultery; he had been living with another woman, and she with a man not her husband,) and I hope has become a thoroughly reformed character.

1151. In how many cases out of the whole has the reformatory treatment proved successful?—In five; and in one case decidedly unsuccessful; and of the others nothing certain is known.

1152. How are the expenses of this establishment defrayed; are they defrayed by voluntary contribution?—Yes; and I ought to say that at this present moment the voluntary contributions are no longer able to support the institution as it was originally established; for now it merely exists as a free day industrial school and not as a dormitory.

1153. What was the kind of establishment kept there; what was the staff?—The staff consisted of the master, Mr. Newman, and his wife; the wife employed these two girls; it was a little cottage in Ipswich, nearly opposite the gaol, with, painted upon the shutters, "Ipswich Dormitory and Industrial School." I may say, in addition to these boys who were there, there was also a small ragged school for little children, and some of these boys acted as monitors to teach these children their first lessons in schooling. I may say that the Dormitory has ceased now from lack of funds, not because there is any doubt as to its efficacy on the part of the people of Ipswich; they tell me, "those you ask to contribute are those who contribute to every other voluntary institution in the town;" we all are most anxious that assistance should be rendered, so as to carry it on efficiently.

1154. And with assistance, in your judgment, would there be a fair prospect of an institution of that kind taking root, if it were well supported?—I think it would, if it were well supported.

1155. Do you know what was the expense of the maintenance of the children there?—I cannot give any distinct information, but the master was paid 1 *l.* a week for himself and his wife's services, and the children had very plain fare; it was not prison allowance, it was more than that; the expense of emigration, of course, is an addition.

1156. Are the young persons there allowed to go in and out?—Oh, yes, entirely; and very often when the school was in its most flourishing condition, when it had its greatest number of inmates, the master could leave and go away for hours; his belief is, which I most heartily coincide in, that for reformatory treatment to be really efficacious, you must rely upon building up in the boy's own mind feelings of self-reliance and self-government, begin to trust him early, and foster every inclination he may have towards these feelings of self-restraint and self-control.

1157. Have you visited Mettray?—No, I have not.

1158. Have you visited any of the reformatory establishments in this country?—I have visited the institution at Red-hill.

1159. Does your opinion, with respect to that institution, coincide with that which has been expressed by Mr. Hill?—I think Red-hill is a most valuable institution indeed, but I think it would be still more valuable if it were more self-supporting. I understood from Mr. Turner's evidence, that the farm at Red-hill could be carried on without the assistance of a single boy employed upon it. I think I understood Mr. Turner, that the staff of adult labourers there would be quite sufficient, and more than sufficient to maintain that farm in a proper condition, if it were not in the hands of a Philanthropic Society. It appears to me, that for industrial labour to have its right and proper effect upon the mind of a boy in order to reform him, he should feel that every piece of earth he turned up was in itself productive work, and I believe that there would not be a great difficulty in having these reformatory schools carried on so that the boys should feel that they were in some degree earning their own maintenance there. But in other respects it seems to me that the plan pursued at Red-hill is a very good one.

1160. Have you any knowledge of that institution near Hamburg?—No personal knowledge, but I would mention with respect to the three institutions

of

of Hamburg, Mettray, and Red-hill, that though the conductors of them differ upon doctrinal points of religious belief, yet similar good effects have resulted from the working of each. The same good effects have resulted, because they have endeavoured to carry out those, if I may say so, far more substantial measures with respect to the moral treatment of the children who are under their control, and therefore that there would be no difficulty, as it appears to me, when you come to establish these reformatory institutions, arising from points of religious difference, because the results have been in all these different cases equally efficacious.

1161. I believe you have been good enough to condense some information relating to the American reformatory schools?—Miss Carpenter has asked me, but I have not yet had time to do so.

1162. Probably you will do it?—I will.

1163. Have you heard the suggestion which has been made to the Committee, with reference to making parents enter into recognizances for children?—Yes; I do not think it would be expedient. It appears to me that if a parent has allowed his child to grow up in such a state that he becomes amenable to the criminal law, the country has no security at all for the child's good training by the parent.

1164. What is your opinion with reference to making an order on the father for the maintenance of the child while he was in one of these institutions?—It appears to me that the magistrate, after he is satisfied that the offence has been committed by the child, should at once inquire into his place of settlement; that he should then make an order upon that parish for paying the cost of the maintenance of that child in the reformatory school, and then that the parish should have the opportunity, by obtaining an order similar to a bastardy order, of enforcing upon the parent, if the magistrate is satisfied that the parent is able to contribute, a certain specified sum towards the maintenance, so as to recoup the parish *pro tanto*.

1165. Then you would have the order made in the first instance upon the parish in which the child is settled?—Yes; I want the parish to see that it is far easier and far less expensive to prevent crime than it is to reform the criminal after the crime has been committed; and I think that by making the parish pay the cost of the child while he remains in the reformatory school rather than the public, by that means you give the best possible stimulus to the community, by the assistance of industrial schools, to prevent, by providing the means of educational training, the commission of crime.

1166. May not the settlement parish be at the other end of the kingdom, and the child have been brought up in a different part to that in which it is legally settled?—That would be sometimes the case, not often.

1167. Then how would you provide for the case where the settlement of the child was not known?—In those cases the State should pay.

1168. Your principle would be to charge it, where it can be ascertained, upon the parish in which the child is legally settled?—Yes.

1169. Wherever it might be?—Yes; you are aware that the five years' residence Act now would get rid of a great deal of the objection to which your observation would otherwise point.

1170. The five years' residence does not alter the legal settlement. Suppose the child had resided five years so as to become irremovable, would you make it as another consequence of that five years' residence, that the charge of this further expense should be cast?—Yes; that is what I meant when I talked of settlement; that wherever a parish would now be burthened with the cost of maintaining a parent or his child, in the event of his becoming a pauper, that parish should also be burthened with the expense of the maintenance of the child, if the child should become criminal.

1171. Would you have it imperative upon the magistrate to make that order upon the parish in the first instance?—Imperative.

1172. And you would give power to the parish to indemnify itself by resorting to the father, where he could pay it?—Yes.

1173. The machinery for the purpose you would recommend to be analogous to that in cases of bastardy—power of applying to the magistrate, who should then have the power of making an order, and that might be or should be enforced against the parish?—Yes.

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1174. In fact, just as in the case of the Bastardy Act?—Exactly.

1175. Will you add any other suggestions that you wish to make?—I said, that my great object was, that the parish should have the stimulus to prevent the children of the community from falling into crime. I should therefore wish to state how, in my opinion, this second class of schools, to which the attention of the Committee has been called, should be established—the free industrial feeding schools; I think that there are only two classes of schools required.

1176. How would you divide these schools?—There would be the reformatory school and the free industrial feeding school.

1177. Be so good as to state the principle upon which you think these reformatory schools should be established, and the treatment which, according to your opinion, ought to be adopted there?—First, as to their construction, I quite agree with what Miss Carpenter has said, that if individuals can be got, who by their voluntary efforts and contributions will institute and will manage and will support such a school, that if upon inspection the Government is satisfied that that school is calculated to be an efficient reformatory school, that then the Government should give a grant, by way of aid, to such voluntary efforts. I quite agree with that; but in addition to that, I would say this, that, in cases in which those schools have not been instituted by voluntary efforts, the Government ought themselves to institute them; and it would be a very valuable thing for the Government institution and for the voluntary institution to be at work together, each an example to the other.

1178. Then what is the treatment which you would advise with respect to the inmates of these reformatory schools?—I do not think with respect to the child that there ought to be any punishment by way of retribution for the offence. That appears to me to be an utter mistake in our law. At present the penalty is a retributive penalty, a penalty not measured at all with respect to the criminal, or the way in which he should be made a good member of society, but visited upon him by way of satisfaction for a crime which he has committed upon society. The only punishment that I would have would be that which might be necessary in training a child out of the way in which he has been going into the way in which he should go.

1179. How would you secure the detention of the child?—By giving to the managers of the school the same power over the child that a parent now has, which would be, if the child escapes, the power of recaption; the power, if necessary, of giving chastisement; indeed, all which can be required in order to reform the child.

1180. Would you give a power analogous to that at Parkhurst of punishing before a magistrate in case of any escape?—I think not; it is unnecessary.

1181. Mr. *Fitzroy*.] Would you give no punishment for an escape?—No punishment, except such as the managers thought necessary to prevent it for the future. The experience of the Massachusetts "Reform School" shows conclusively that there will be no escapes when the right system of reformatory training is pursued. The difficulty that seems to have arisen with respect to the matter of escape is in connexion with the experience of Parkhurst. I have not visited Parkhurst, but I have read the reports very carefully. The discipline there has been, relying upon walls, upon a discipline of routine, upon every thing else except building up a character in the child which would induce him to become a reformed character. The natural tendency of a human being is to escape from such a system as that. I find in the last Report: "A feverish restlessness, leading to frequent attempts to escape beyond what has been known since the first formation of the prison, has been apparent amongst them." And by the same report, I find that the remedy for this state of things which has been relied upon is to direct "every precaution to be taken for the prevention of escapes;" not to lessen the inclination of the inmates to escape, but only to increase the difficulty.

1182. *Chairman*.] What kind of treatment would you suggest; what kind of discipline; what kind of labour?—I think that out-door labour is almost the best that can be devised, but I think that such an institution should have every kind of labour. I think that the taste of the boys should be as much looked for as possible. I do not know whether the Committee are aware of the prison at Munich, which I visited last year. That is for adults, but all the men there are employed upon industrial occupation; and when the man comes into prison he

he is put to that occupation for which he has most taste. A similar plan, with marked success, has been pursued at the prison in Valencia.

1183. You mean so many species of employment and trades?—Yes.

1184. Agricultural?—Yes, agricultural labour should form a large portion of it.

1185. A situation in the country would admit more easily of agricultural employment?—Yes.

1186. You would advise that?—Yes; and that there should not be so much money lavished on the brick walls and appliances of the buildings as is generally the case. The institution at Hamburg was a most simple establishment in its commencement, and it has gone on increasing in the same simple way; and with respect to the school at Ipswich, it was carried on in two small cottages, the whole rent of which would not amount to more than 16*l.* or 17*l.* a year.

1187. Now what kind of education would you propose to give in this reformatory school?—The same that is now given in the lower class of schools in this country.

1188. Would you have inspection?—Thorough inspection. The interest of the managers in such a school as this would be to keep the child perhaps longer than might be thought necessary. The feeling of the parish of course would be to escape from the burden of his maintenance there; and it appears to me that the inspector is to be the judge between the two, and see how far the likelihood is of the boy being so reformed that he may be safely removed back to his friends or put out.

1189. The period of his detention you would leave to the managers of this institution?—Yes, subject to the control of the inspector.

1190. I think you stated, not fixed in the first instance?—No.

1191. But to be determined, on a view of circumstances, by the managers of the institution as the boy went on?—Certainly.

1192. To be checked in that discretion by the judgment of the inspector?—Yes

1193. What legislation, in your opinion, would be required for that purpose?—I think very little indeed. There would be the power to construct and maintain, or aid in the maintenance of the reformatory school out of the Consolidated Fund; there would be the power to make the parish contribute to the maintenance of the child there; there would be the power to enforce so much of that maintenance as a magistrate might think reasonable upon the parent; and there would be the power to commit children to a reformatory school instead of to a prison; and the effect of the commitment, and the powers thereby given to the managers of the school, would have to be defined. These are the only legislative alterations that would be required.

1194. Mr. *Fitzroy.*] For a limited period?—Yes; in no case for a period exceeding the minority of the child.

1195. *Chairman.*] Unlimited in the first instance, and to be limited afterwards?—Yes; the simple enactment would be, that in respect of the committal to this reformatory school, all the right and power over the child which was heretofore vested in the parent, should be vested in the managers.

1196. Will you have the goodness to describe what the system in America is?—The system in America is, to give the magistrates, and to give the superior courts the power to commit any convicted child at once to a reformatory school: not to a prison first, but "in lieu of to a prison;" those are the words of the New York Act.

1197. And do you say that the child would be committed at once by the judge?—Yes.

1198. Where to?—To the reformatory school, to remain there for a period not exceeding the attainment of his majority; and there is full power upon the part of the managers of the institution, either to put the child out, which they seem extensively to do, to apprentice him in different parts of the State, or else to induce him to emigrate.

1199. Will you be good enough to refer the Committee to those articles in the New York code?—I cannot now, but I will by-and-by.

1200. I understand you to say, for any kind of offence?—I believe for any kind of offence.

1201. Is this the law of New York?—Yes.

1202. Is it adopted in any other of the States?—In Massachusetts and in several other States of the Union.

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1203. Do you know whether this is done at the expense of the State?—The schools in all the States seem to have originated from voluntary efforts, but now they are entirely or in part supported out of State funds.

1204. Probably you could hereafter refer the Committee to all the parts of the code that refer to this subject?—I will.

1205. Do you know whether, according to that law, the parents are compelled to contribute towards the maintenance of the children?—I think not.

1206. Do the parents in any case send the children to these schools?—Yes; they make an application to the magistrates, who have power to commit for "stubbornness."

1207. In that case have the parents to pay for the maintenance of the child?—I think not.

1208. Mr. *Adderley.*] They would have to pay in the shape of rates, would they not?—Yes, they would all have to pay in that way.

Veneris, 28° *die Maii*, 1852.

MEMBERS PRESENT.

Mr. Baines.	Sir William Jolliffe.
Mr. Fitzroy.	Mr. M'Cullagh.
Mr. Adderley.	Mr. Tufnell.
Mr. Monckton Milnes.	Mr. Cowper.
Mr. Cornwall Legh.	Mr. Monsell.
Mr. Miles.	

THE RIGHT HON. M. T. BAINES, IN THE CHAIR.

David Power, Esq. called in; and further Examined.

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1209. *Chairman.*] BEFORE the Committee separated, on Tuesday last, you were good enough to say that you would furnish them, at their meeting to-day, with evidence relative to the state of law in America upon the subject of juvenile offenders, and the mode in which certain institutions there were managed; have you turned your attention to the subject of the law of the State of New York?—When Mr. Field was in England, I requested him to be good enough to send me all the papers that were printed with reference to the law upon that subject. He has been kind enough to send me those papers, and by them I have become acquainted with the system as it is at work there.

1210. Will you state who Mr. Field is?—Mr. Field was one of the Commissioners appointed by the Legislature of the State of New York to form a consolidated code of procedure in law and equity.

1211. Is he a barrister?—Yes.

1212. Have you informed yourself as to the state of law in New York upon this subject?—I have.

1213. Will you be good enough to state shortly what the principal provisions of the state of the law upon this subject in New York are?—I find that the New York House of Refuge was incorporated on March the 29th, 1824, and the preamble of the Act by which it was incorporated recites that, "whereas by the petition of several inhabitants of the city of New York it is represented that they are desirous to establish a society, a House of Refuge for the Reformation of Juvenile Delinquents, and have prayed to be incorporated;" it enacts that all subscribers to the same be incorporated under the name of "The managers of the Society for the Reformation of Juvenile Delinquents in the city of New York." The corporation is to consist of a Board of 30 managers, to be elected by plurality of ballot by the Members resident in New York being subscribers and present at such election, the managers to have power to receive and to take at their discretion into the House of Refuge all such children as shall be taken up or committed as vagrants, or convicted of criminal offences in the said city as the court before whom they are tried may think proper objects.

There

There is power given to the managers to place and instruct them in employments, to bind them out during their minority, with their consent, as apprentices to such persons, and to learn such trades as, in the judgment of the managers, will be most for the reformation and advantage of the children; they have power to make bye-laws for the government of the refuge, and to appoint officers, and are required to make an annual report to the corporation of New York and to the Legislature. In the year 1825 an Act was passed authorising the Government to grant 2,000 dollars annually for five years to the support of the establishment. In 1826 (the following year) the discretion that had been before given to the managers to take in inmates to the refuge was done away with, and they were then imperatively required to take in all children as should be convicted of criminal offences in any city or county of the state, and as might, in the judgment of the Court before whom such offenders be tried, be deemed proper objects; and then there are certain provisions as to the payment of further Government funds in aid of the institution.

1214. The last change has the effect of making it an institution for the whole state?—For the whole state, and to make it imperative upon instead of discretionary with the managers to receive the children. I find, by referenee to the revised Statutes of the State (ch. 1, title 7, sections 17 & 18), the law with respect to sending offenders to that institution to be as follows: "That whenever any person under the age of 16 shall be convicted of any felony, the Court, instead of sentencing such person to imprisonment in a state prison, may order that he be removed to and confined in the house of refuge unless notice shall have been received from such society that there is not room in such house for the further reformation of delinquents." Then I find, with respect to the further support of the institution, that Acts from time to time have been passed from 1836 down to as late as 1848, granting both out of the corporation funds of the city of New York, and out of the funds of the state, annual funds for the purpose of keeping on the houses of refuge.

1215. Have you made yourself acquainted with the system of management adopted in those institutions?—I find that the management is vested in certain officers (I take this from the report of last year, 1851); I find that there are one president, six vice-presidents, one treasurer, one secretary, and a Board of 23 managers, one superintendent, one assistant ditto, one physician, one chaplain, one teacher, two assistant teachers, one matron, and two women teachers. The institution is for both boys and girls. There is an indenturing committee, consisting of seven persons: an acting committee, consisting of two; a school committee, consisting of three; and a ladies' committee, which is an important particular connected with it, consisting of 15 ladies.

1216. I suppose the indenturing Committee have entrusted to them the peculiar duty of apprenticing the children?—Yes. The inmates, I find, on the 1st January 1850, consisted of 338.

1217. Does it appear how many boys and how many girls; have you any means of distinguishing?—There were 255 white boys, 62 white girls, 13 coloured boys, and 8 coloured girls. There were received, during the year 1850, 444, making a total of 782; and there were disposed of, during the year, 371; which left 411 in the institution. I have made a selection of the cases, to show how various they were. G. B. was sent to the house by the city authorities, "for sleeping out in carts and sheds during the night, and being a pest during the day, refusing to go home to his friends, and pilfering small articles." That is for being, as nearly as possible, "a rogue and vagabond" by our law. He was sent to the House of Refuge, on June 12th 1844, and was dismissed on the 13th March 1847, was then indentured, and the last report of him was, that he was doing well with his master. The second case is that of J. M., he was committed for breaking into an out-house and stealing; he was admitted on January 22d 1845; he was indentured on the 11th October 1845, having been in, therefore, about nine months and a half. H. W. was sent for having ran away from his parents, "he had travelled about from place to place stealing, had been sent to gaol several times, and had become a pest to the villages and the county." He was admitted on January 1st 1846, indentured on August 3d 1846, and his master writes in 1850, after four years' experience, that the boy was contented and happy, industrious and honest. The next case, M. R., was for burglary; he was admitted on August 18th 1848; he was indentured on June 15th 1849; his master

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master says he is strictly honest, and seems to delight in his work. R. L., which is the last case I have taken, was sent by the city authorities, at the instance of his mother, who could not controul him, he would run away, and stay weeks at a time, he was admitted on June 17th 1848, and in less than a year, I find he was indentured, namely on March 30th 1849, and in September 1850, his master says of him. "He is a very good boy; honest and industrious."

1218. Can you inform the Committee what is the system of training and discipline adopted in this institution; first, upon the point of industrial training? —I find that the boys are employed in making chair seats, the cane for which they prepare (I may mention that this House of Refuge is in the city of New York, and there are no facilities for agricultural employment), and in manufacturing pocket-books, spectacle cases, daguerreotype cases, razor-strops, and other articles; the boys make and mend all the shoes required for the inmates, and the making, mending, washing, and cooking for the whole family is done entirely by the children. The report says that sufficient and most useful employment for the girls is found in the making, mending, and washing the articles needed in so large an household, so that they receive valuable instruction in housewifery.

1219. Be good enough to state the number in that institution?—Four hundred and eleven.

1220. You stated just now that they were admitted under the age of 16; how young are they admitted?—There were five in the establishment, I find, more than 16, but exceptional cases; I find the youngest children there are of eight years of age; there are five of those, but the great majority are 12, 13, 14, and 15 years of age.

1221. Probably boys of the age of 16 come in under 16?—No; but the inspectors of the state prisons may recommend any convict under 17 to be removed to the House of Refuge; and the Government thereupon send them.

1222. Have you anything to add upon the subject of industrial training?—Nothing.

1223. Can you give the Committee information as to the kind of instruction that is given to them in other respects?—The master says that the greater part of the boys could not read when they were admitted, and nearly all of them were destitute of any knowledge of arithmetic and geography. He says, "We have witnessed with delight the regular and rapid advancement of many of our scholars from class to class, from one branch of science to another, till they have acquired a good common school education"; that seems to be the result.

1224. Does it appear what is the kind of secular instruction that is given to them?—They are taught reading, writing, arithmetic, and geography.

1225. Now with respect to their moral and religious training?—The master says, "We try to have constantly fixed in our minds that these children are sent here to be reformed; I see it written, as it seems to me, upon the brow of every poor and neglected boy that enters the school, 'Take this child and train it up for me.' To benefit such a child as we would, mind must often come in contact with individual mind. Teach a child to read well, surround him with interesting books, and you cut off three-fourths of the avenues to crime. Let this be done while the great principles of right and wrong are daily impressed upon his mind till they become a fixed habit, and the work of reform is almost complete." The teacher adds, "Our Sabbath-school teachers have been very faithful in the discharge of their responsible duties, and have made our Sunday-school exercises pleasant and comfortable." And I find in the report that the managers desire to express their obligations to the committee of ladies whom I have mentioned, who in turn visit the house weekly; and this committee of ladies themselves make a report; so that with respect to the moral and religious training of the children voluntary aid is not only sought for, but given very extensively. The punishments, I find, are these: first, privation of play; secondly, being sent to bed supperless at sunset; thirdly, bread and water for meals; fourthly, confinement in solitary cells; fifthly, corporal punishment, if absolutely necessary.

1226. Have you any information as to the expense of this establishment?—Yes; the expenses of the management I find to be these. There were paid over to the acting committee for the year that I have mentioned, when there were

were 411 inmates, 21,539 dollars; the labour of the inmates realized 8,725 dollars, leaving a balance of 16,414 dollars; this, divided by 411, gives not quite 40 dollars per head, or about 8 *l.* per head.

1227. Mr. *Miles.*] Does that include everything?—Everything, the whole expenses of the management.

1228. Mr. *Adderley.*] That is the net expense?—Yes.

1229. After deducting anything earned by the children?—After deducting the earnings of the children. Now I find that of that 16,414 dollars, there were contributed by the state 8,000, by the corporation 4,000, and the proceeds of the theatre and circus licences are required to be handed over to the managers of this institution, and they realize 4,070 dollars.

1230. *Chairman.*] What licences are those?—They are the annual licences that are granted to every theatre in New York, and to every equestrian circus that enters the city.

1231. Have you any information as to the practical results of the system which has been now for many years in operation in the State of New York?—It is stated that the average of reformation is 75 per cent.

1232. Is the institution limited to those who have committed crimes?—It is limited to those who come within the jurisdiction of the magistrates and courts of justice.

1233. A child was brought for stubbornness in one case, was he not?—Yes; but it seems that the parent took the child before the city authorities, and it was only by virtue of a commitment of the city authorities that there was any jurisdiction to receive the child by the managers. It does not appear that a parent can come and say, "Take my child and train my child for me." Although I have no means of showing the effect upon crime which this institution has had, it appears that the society are now seeking for increased powers, for the purpose of raising another refuge upon a larger scale than the present; the managers have applied to the corporation of the city, and the corporation has passed a law authorising the sale of land in the city, the proceeds to be applied to the purchase of 10 acres of land for the site of a new refuge. For this arrangement an Act of the Legislature is also necessary, and a memorial has been submitted to obtain pecuniary aid from the State also, which the managers state in the report that they entertain full belief will be granted. I may add, that at Rochester, in the State of New York, a house of refuge was opened on the 11th August 1849, and the State appropriated 60,000 dollars towards the erection of that building, and towards the support of its establishment for the first year.

1234. Is that by the same corporation that instituted the other, or by a different one?—By a different one.

1235. Can you inform the Committee whether in any of the States provision has been made, under the sanction of law, for the reformatory treatment of juvenile offenders?—Yes, I find that in Massachusetts there has been in operation for three years the State Reform School, which is considered to be the model establishment of the kind in the United States.

1236. Have you any information as to the principle upon which that is founded; what is the system of treatment pursued there?—It differs somewhat from the New York system, and I will explain very shortly, with the permission of the Committee, how it differs: its management is vested in a Board of trustees consisting of seven persons; it has the following officers: a superintendent, an assistant superintendent, a chaplain, steward, matron, an executive committee of three persons, a treasurer, and a secretary. The inmates are boys, to the number of 325; and I find that out of 129 cases committed there in one year, four were for housebreaking, 48 for larceny, 59 for stubbornness (which appears to include all disorderly and wilful bad conduct not amounting to crime, and all cases of children unmanageable at home and rebellious to their parents), six for being idle and disorderly, seven for vagrancy, one for drunkenness; their ages varied from seven to 18, the greater portion being of 13, 14, and 15 years of age; of these 103 were committed during the period of their minority; that was the term of their commitment.

1237. During the period of their minority?—Yes.

1238. Those are the terms of commitment?—I do not know what are the precise terms of the commitment.

1239. But that is the period described in the instrument of commitment?—Yes,

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Yes, no doubt. In one case the boy was committed until he was 18, the remainder for periods from one year to six years. I may explain that in the State of Massachusetts, with respect to these houses of refuge, there exists rather an anomaly in the criminal law, namely an alternative sentence. The alternative sentence is one of imprisonment for a certain definite time, and its effect is, that if a boy is dismissed for bad conduct from the school before the expiration of that sentence, he may be imprisoned under such sentence.

1240. Mr. *C. Legh.*] With whom does the alternative lie?—With the managers; by dismissing the boy.

1241. *Chairman.*] The managers would determine whether the boy was entitled under the terms of that sentence to be dismissed earlier than the term fixed in the commitment?—Yes.

1242. Do you know who these managers are?—I believe in Massachusetts they are appointed by the state. With respect to the industrial training the boys are divided into three classes; first, those engaged in farming.

1243. Is this institution in a rural situation?—In a rural situation with seemingly a large number of acres of land. Secondly, the mechanical class, consisting of those who are taught shoemaking and tailoring, for all the making and repairing of the clothes and boots and so on, is done in the establishment; and thirdly, the domestic class who wash and cook, and perform other domestic duties. With respect to the first class, namely, the farming class, the superintendent says, "We find no difficulty in employing large numbers of boys on all parts of our farm with the most perfect security. While thus employed, no attempt has been made to escape during the year, though we have had upon some occasions over 300 at work in the fields at the same time. From three years' experience, we are confident that no institution designed for the reformation of juvenile delinquents should be established, without a liberal provision for out-door and agricultural labour. It tends to promote the health, contentment, and reformation of the pupils; they become more interested in sowing, cultivating, and harvesting the crops, than in the mere monotonous labours of the shop. It also prepares them to be more useful to farmers, to whom a large proportion are indented." I think Mr. Hill has already called the attention of the Committee to the curious fact, that out of four escapes which had taken place, those four escapes were all by boys confined within the walls of the establishment; but wherever the boys have been trusted in out-door occupation, the confidence that has been reposed in them has in no single instance been violated. I find that four hours a day are devoted to instruction (that would be secular instruction); six hours to labour, 8 ½ hours to sleep, and 5 ½ hours to moral and religious instruction, recreation, and miscellaneous duties; and the trustees acknowledge in their report, "the very valuable assistance received from many citizens of Westborough, of both sexes, in the conducting of this school. Their untiring diligence and perseverance, in the management of the classes which they have so kindly volunteered to instruct, merits our warmest thanks." So that although this institution is a State institution, it gladly avails themselves of the assistance of voluntary teachers in its working. With respect to the expense of the management, the provisions and clothing for 325 boys amount to 10,800 dollars. The salaries of the teachers and superintendents, fuel, tools for the agricultural labour, and matters of that kind, amount to 16,525 dollars; giving a total of 27,325 dollars. The labour of the boys amounts to 3,810 dollars; therefore the expenses of the establishment, minus the labour of the boys, would be 23,515 dollars, which is equivalent to 4,703 *l.*, and that, divided by 325, gives a sum of 14 *l.* 10 *s.* per head. I find that the State defrays the whole expense with the exception of 3,500 dollars per annum, which is the interest of a fund given by a gentleman named Theodore Lyman.

1244. A kind of endowment?—Yes, a kind of endowment when this institution was first established.

1245. But all other expenses are borne by the State?—Yes; there are no voluntary subscribers.

1246. Is there any institution of the same kind in Pennsylvania?—At Philadelphia there is a house of refuge which was established in 1828, seemingly upon the model of the New York House of Refuge. The expenses of the management there are defrayed in the following proportions: the annual voluntary subscriptions are 4,004 dollars, the State apportion 6,000 dollars, and the

the county of Philadelphia 13,000 dollars. Deducting the amount earned by the labour of the boys, the expense per head is 10 *l.* 4 *s.* That establishment has been so successful, that a new one is about to be raised at the expense of 200,000 dollars, 140,000 of which is the estimated value of the assets of the existing institution, the managers having memorialised the State for the remaining 60,000 dollars. It is for boys and girls, and for the coloured population, as distinct from the white population.

1247. Is this institution in Pennsylvania in a rural situation?—I believe that the original institution is not. I do not know whether the proposed one is to be in a rural situation or not, but it appears to have been modelled entirely upon the New York one, which is not rural.

1248. Is the system of treatment that is generally pursued in this institution similar to that which is adopted in the State of New York?—Yes; the New York one was established in 1824, and this followed in 1828.

1249. Do you know whether there is any similar institution in the State of Maryland?—Yes, and the report of its institution is very interesting.

1250. Is that under the authority of the State?—It has a mixed Board of management. That Board of managers consists of eight on the part of the city, eight on the part of the State, and eight on the part of the subscribers. They appear to have taken every pains to inquire into the working of all the houses of refuge for the purpose of making this as efficient as possible.

1251. Does the report give the result?—The report speaks in the strongest terms of the State Reform School at Massachusetts, and it is proposed to carry out almost entirely the system found to work so well there, with the exception that the management appears to be by voluntary subscribers, whereas in Massachusetts it is entirely in the State. I would wish, with respect to Maryland, to call the attention of the Committee to the children they propose to receive there. They are divided into four classes: first, children convicted of criminal offences; secondly, those who are committed as street beggars or vagrants; thirdly, children whose parents ask their admission for incorrigible habits or erecting the building is estimated at 130,000 dollars; individual subscriptions vicious conduct; fourthly, children whose parents from moral depravity or otherwise are incapable or unwilling to take care of them. The expense of amount to 22,000 dollars; the mayor and council contribute 20,000 dollars, and the General Assembly of Maryland has been memorialised to contribute the remainder. I find that Governor Lowe, in his message to the General Assembly, says, "It is a source of great gratification to me to have it in my power to inform you that the corner stone of the House of Refuge for Juvenile Delinquents has at length been laid. The work has been commenced, and we may hope to see before very long this noble charity lift its head in our midst. To reclaim men from vice is a higher obligation than to punish them for their crimes. And what shall be said of the duty of a civilised and Christian state in regard to the reformation of the young and the ignorant? If the State is the parent of all, shall not the soul of the child, abandoned by her, cry out from the dark depths of its iniquity for retribution? That voice will not go unheeded. If I thought it possible that any man could be insensible to this view of the subject, I might speak of it as a matter of political economy, and show that it is cheaper to reclaim a youth than to pursue an expert villain through life to the gallows." This is the language of Governor Lowe, the Governor of the State of Maryland, to the General Assembly, in recommending them to grant the aid which is sought for.

1252. Are you aware of any other state in which an institution of this kind has been established?—I believe there are several similar institutions in other states, but I have not the materials from which I can give the Committee any information as to their management or working.

1253. Mr. *Miles.*] Now as regards the children who are received in this State House of Refuge in Maryland, does it not strike you that in the last class, as I understood, there are children who may be virtuous, who may be perfectly able, so far as children go, to conduct themselves properly, and yet who are placed with delinquents of all kinds; not, as I understood you, with the children whose parents are incapable of taking care of them?—In these institutions, particularly in the State Reform School at Massachusetts, there are abundant means of classification. The inmates are classified into three or four different classes. The first class are those who are well behaved, and in addition to that, a badge

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of distinction is given to those who for any long period have shown by their conduct that they are in a state tending towards reformation.

1254. So that this last class would be, as you suppose, entirely separated from the more criminal class?—Yes, unless they themselves developed either criminal or immoral habits.

1255. Would they be forcibly detained, or detained for any period of years?—The effect of the law in that State, and in the State of Massachusetts, is to vest in the managers of that institution all the rights over the child that the parent otherwise has.

1256. So that actually they would have the power over these defenceless children exactly in the same way as they would have over the criminal children?—Just in the same way; it is a power which would only be exercised for the child's good.

1257. Do you think that that system could be adopted in England?—I am afraid we are not sufficiently advanced at present to do that, but I wish it could be.

1258. Do you conceive that it would be a good plan taking boys so old as 16 or 18, and confining them with children of from seven to eight, and keeping them there till they are 21?—No, it appears to me that that is a defect in the school in the United States. It appears to me that the children range over too large a number of years, and that almost the whole object that the institution of a House of Refuge could be expected to answer, would be equally well answered by restricting the age to much lower than 16, to 13 or 14; for this reason, that I believe that if an investigation were had, it would be found that the first offence of almost every juvenile offender has been committed at a period under 14 years of age.

1259. Then you would suggest any houses of refuge that we might adopt more for cases of first offence, than for those that had become hardened in crime, and were more liable to transportation?—Yes; the great defect in our law at present is, that we do not begin to reform until the child has been educated in crime, whereas, in order to reform effectually, you should take the child as young as possible,—as soon as he has got upon him the plague spot of crime.

1260. Then would you, when that child was sentenced, confine him in separate confinement for a short time before you sent him to one of these Reformatory Schools?—Certainly not. In New York the law distinctly says, that the child is to be sent to this institution *instead of* to a prison.

1261. What power would you give to the judge, or recorder, or magistrates on the bench, as to the sentence; how long would you allow these houses to retain him as a criminal child?—It seems to me that by far the more proper and the juster course, not only to the managers but to the child, is to commit the child for no definite time at all, and to give the managers a discretion to discharge that child at a time when they believe that that child is sufficiently reformed as not to yield to those temptations to which the child has before yielded.

1262. Whom would you make your managers?—I think Maryland contains the best provision with respect to that, so far as that principle can be adopted in this country; if you can combine the voluntary managers with the State managers, you are more like to have a successful management than in any other way.

1263. But upon what body or bodies would you throw the expense of these reformatory schools; would you confine it to the State, or would you do it partly by subscription, or how would you manage your funds?—In a previous part of my evidence I stated that I thought it infinitely better to have institutions to prevent crime than institutions to reform criminals; and by way of inducing the establishment of industrial schools, which would, I believe, prevent crime, I proposed to put the burthen of crime, when it had been committed, upon the locality from which the criminal came. The cost of the maintenance in the reformatory school would be defrayed by taxing the whole community from which the child comes; in other words, by making the officers of the parish pay over to the managers of the institution the cost of the maintenance of the child, giving them a power to recover back from the parents in all cases. The expense of establishing the reformatory school should either be defrayed by voluntary subscriptions, aided materially by the State, or in default of voluntary

tary subscriptions, by the State alone. In the former case there should be, I think, a mixed Board of Managers, some elected by the subscribers, the others appointed by the State. In the latter, the management would be vested in Government officers, but even in this case the assistance of voluntary teachers should be sought for and encouraged. Counties and boroughs should also have power given to them to erect, or to contribute to the cost of erecting, such institutions out of the county and borough rates respectively, and, if they avail themselves of the power, should be represented on the Board of Managers. Where pecuniary aid has been given by the State, I am not sure whether inspection on the part of the Government would not be better than management; but either course would, I think, be effectual.

1264. But still, considering that after the conviction the State bears the whole expense of the detention of the criminal, do you think it would be very acceptable to the public, these houses of refuge being only for criminals, that the expense should be taken from the State and placed on the parish?—Whether it would be acceptable or not, I cannot say; but I have not the least hesitation in saying that it would be infinitely juster. I think that the State might fairly pay for the maintenance in prison of those children who have no settlement at all, who are very numerous in a large town like Liverpool.

1265. In Liverpool, where there are a great number of children whose parents are emigrants, would you say that it was the fault of the Liverpool locality that the children remained in it and committed thefts?—No, I say that it is not, and therefore they are cases in which the State would fairly have to bear the burthen of the maintenance of the children in the Reformatory School.

1266. When you turned out these criminal destitute children from these schools in a country like this, what would you do with them; would you send them abroad, or apprentice them, or place them in servitude in different occupations?—I should consult, as far as possible, the inclination of the child, and if the child were willing to go abroad in a country where there was a good market for his labour, let him go abroad; if he wish to be indentured, let him be indentured.

1267. Do you think that would be fair upon the free labour of the country?—I think so; the child himself has been in no way responsible for the neglect which has brought him in the situation of being criminal; it is society which is responsible, and society owes a debt to the child which it has allowed to grow up criminal, and which it can only discharge by reforming him and putting him into a position in which he may become a self-supporting member of society.

1268. Although in America, where labour is wanted, these children, when turned out from these schools, would be most acceptable; would that be the case where you have a large quantity of labour, as you have in this country, unemployed?—Yes, I think so; the child committed for a first offence differs little from a pauper child. With respect to the Norwood Farm School, I have heard that the farmers in that neighbourhood, in consequence of the industrial training that the children receive there, petition for, and gladly receive the services of the children who were brought up there.

1269. But does it not strike you that there is a vast deal of difference between a child whose only offence is poverty and a child who has been convicted, and in all probability has been committed not for his first crime; as to the morality, is there not a difference?—I think not; I think in the case of a child under 13 or 14 you may fairly say, as the French law says, that he acts *sans discernement*: that is, that he has not committed crime from his own free will, and with full knowledge of the wrong.

1270. Mr. *C. Legh.*] Did I understand you that you proposed that the child should be admitted not later than 14, or that he should be dismissed from the school at the age of 14?—That he should not be admitted after he was 14.

1271. Do you think that upon his return from the school he would be safe from temptation and the influence of his bad associates?—I think so; in a former part of my evidence I gave an instance of several boys of 14 or 15, who in London were exposed to every kind of temptation, and who maintained their characters; and not only that, but who had been the means of inducing several of their former associates to leave off their criminal career. The experience of the managers of the Reform School of Massachusetts confirms me in the opinion I previously

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I previously entertained, that if you will not rely upon walls, upon coercion, upon restraint, but strive to build up in the boy himself a character capable of resisting temptation, you may then fairly trust him to mix in the world again.

1272. Do you think that his discipline during the time he was in the reformatory school would be sufficient to turn his mind?—I think so.

1273. After he left the school, should he ultimately again fall into temptation, would you again admit him into the reformatory school?—I would if he were under 14 years of age.

1274. In such case of admitting him again do you think that that would be injurious to the other inmates of the reformatory school?—I think not; if there was a sufficient classification in the school; if the school were divided as in one of the cases to which I have referred, where they are divided into as many as four distinct classes, you would find some boys whose moral state is not worse than those.

1275. Then you would think classification absolutely essential?—Yes, if the numbers be large.

1276. Sir *W. Jolliffe.*] The school in Brook-street, I understand you to say, is wholly supported by voluntary contribution?—The class of boys to whom I referred have been supported and reformed almost entirely by the money, labour, and efforts of their master, Mr. Ellis. The Honourable Member for Devonport, who accompanied me there and examined the inmates, has, I believe, a full assurance in his own mind that the boys are not only reformed criminals, but whose feelings are enlisted to prevent their former associates from continuing their crimes.

1277. These boys come, to some extent, voluntarily into this institution?—Yes.

1278. That of course evidences a desire of reformation on their part?—Some of them told me that when they first went into the Brook-street Ragged School, the inducement to go there was merely to "have a lark," and to put out the candles. They had no notion of remaining there, but they were spoken to kindly by the master, and this led to their placing confidence in him and commencing the course of reformation which has made them what they now are.

1279. And, therefore, you think that reformation will go on in the same proportion as it does now, supposing they were sent there by compulsion?—Yes; for instead of dealing with boys such as these, one of whom had been six or seven times in prison, what I propose is, to deal with the first offence.

1280. I think you approve of the system adopted in Maryland, you think that better than any other system?—I think so, because it seems to me that, the Board there embraces members of the three different classes, the State, the town, and the voluntary subscribers, and I think that a mixed management of the voluntary subscribers and of the State would be more likely to give satisfaction than any other.

1281. I thought you suggested such a management as the best to be devised for this country?—I think that a management that would unite voluntary subscribers and the State together, would be the most desirable. Therefore, in principle, I would adopt that plan, modified in detail as the circumstances of this country are different to those of any State in America.

1282. In Maryland, I think you described that one-fourth or one-fifth would be contributed from the State, and about three-fifths would be from local taxation?—About one-sixth would be from individuals, about one-sixth from the town, and four-sixths would be from the Government of the State.

1283. What you propose now for England would not be upon that scale; you would propose that it should be entirely supported, I think, by local taxation, in both cases?—With respect to the institution itself, I think the expense of erecting it should be defrayed, either by the State itself absolutely, or by a portion of the funds from voluntary sources, aided by the State, or entirely voluntary.

1284. But the support of the children would be parochial?—Yes, in those cases in which they have acquired a settlement or are irremovable.

1285. Then, with respect to the repayment which the parochial ratepayers might hope from the parents, I think you stated, in answer to a question on Tuesday last, that you had some registers of what had occurred at Ipswich of children under sixteen years of age, and that, out of 47, there were only five

whose

whose parents were in a situation to maintain them?—I requested the town clerk to prepare me a return, which he has been good enough to do. It gives me five cases out of 47 in which the parents could contribute.

1286. Cases where it was in their power to contribute?—Yes.

1287. They might have pleaded, or shown that they were not to blame in the crimes that the children had committed; in that case, would it not be difficult to saddle them with an expense of this sort?—I think not, for you would be maintaining and training their child. I believe there is scarcely a case where the child falls into crime in which the parents have not been neglectful themselves.

1288. Or it may be that they are in such a situation of life as to be unable to exercise proper control over their children?—I should think, in all such cases, their pecuniary means would be so limited that they could contribute but a very small portion indeed towards the maintenance of their child in this institution.

1289. And the detention of the child, I understood you to say, should be in accordance with the opinion of those who had the direction of the institution?—I think that a child ought to be sent there for a period not longer than his minority. I think that the whole power that the parent has over the child should be vested in the managers, and that they should have the power to say when the child was sufficiently reformed to be sent again into society; just as it is left to the physician of an hospital to say when a patient has been so cured of the small pox or any other disease, as to render it safe to allow him to leave that institution.

1290. Mr. *Fitzroy.*] You abandon all idea of punishment, as a means of deterring persons from crime?—I do not believe that that operates in any degree upon the mind of a child, so as to deter him or other children from committing crime.

1291. Do you think that sufficient attempts have been made in our existing system, to deter young persons from crime, or do you imagine that our present system has failed from attempting to combine the deterrent and the reformatory system in the same establishment?—I believe with respect to the last part of the question, that it is impossible to combine the deterrent and the reformatory influence in the same establishment; quite impossible.

1292. Do you consider that any means could be adopted, consistently with preserving the health of young prisoners, of arming the present system with greater power than it now possesses?—I think not.

1293. Now have you turned your attention to separate confinement for short periods?—Yes, I believe that the ingenuity of man could not devise a worse system than that of imprisoning a child in separate confinement. A child is more dependent upon outward impressions for its very means of healthy existence than an adult; a great deal more; he lives upon outward impressions; to deprive him of them, to put a child who has no stores for thought in a position in which he has no external sources of improvement, is not only a punishment to the child, but it must operate most injuriously upon his whole nature.

1294. You have never seen the system tested of short imprisonments in separate confinement?—No, and I should be exceedingly sorry to see it attempted, for I believe that unmixed evil would arise from it.

1295. You have stated that the success of the reformatory institution which you propose would be in not relying upon walls. I think you said that there would be no likelihood of the boys attempting to escape from these establishments?—I think not, and the experience of the school at Massachusetts abundantly confirms my opinion. It appears that there was not a single instance of escape from the establishment when they trusted to the boys' (I may say) honour.

1296. I think you were at the conference at Birmingham?—I was.

1297. And you heard Mr. Sidney Turner, in his speech there, state that one of the reflections that continually depressed him and his fellow-labourers in this work was that they had no adequate means of detention and restraint?—I cannot persuade Mr. Turner of it; but I have a very strong opinion in my own mind why it is that his experience has brought him to that result. Mr. Turner, I believe, relies upon punishment as well as reformatory treatment; that he would wish a child to experience some punishment before the reformatory treatment commences. I believe that is an error in the course of dealing

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with the child, which, if acted upon in any way, would bring about the wish in the boys to escape. It seems to me that, from the first moment that the child comes within the influence of the Reformatory School, the notion of punishment for past conduct should be out of the mind entirely both of the managers of of the institution and the boy himself.

1298. Perhaps you differ with Mr. Sidney Turner upon another point; he seems to contemplate a primary condition of punishment in the form of what he calls a Correctional School?—I am utterly opposed to that, for the reasons I have stated.

1299. Mr. *C. Legh.*] I understand you to say, from the first moment the child comes under the influence of the Reformatory School, that he should not be under any punishment at all before he comes to that?—None at all.

1300. You object to his going primarily to any imprisonment?—Yes, most certainly.

1301. If I understand you rightly, any child upon conviction before a magistrate should be sent to a Reformatory School, but on no occasion to any prison or penal establishment?—Certainly.

1302. Mr. *Fitzroy.*] A child, in fact, is to receive no punishment at all up to the age of 13 or 14?—He is to receive no retributive punishment; he is to receive no punishment for an offence which has been the offspring, not of the child's free will, but of neglect. There will be some punishment, probably, because the very fact of leading that boy from his previous habits of life into improved habits, is necessarily attended at first with some degree of pain to the child. This is what I would call natural, as opposed to retributive or arbitrary punishment.

1303. Mr. *C. Legh.*] Supposing, for a moment, a conviction were to take place of an adult and two boys implicated in the same crime, for burning stacks, for instance, would you carry out your principle that the children should be sent to the Reformatory School immediately, but that the adult should undergo the penalty of the law?—Certainly. The child must be taken to have acted *sans discernément*, that is, without a legal knowledge of the offence; and therefore, although there is an apparent anomaly in saying that for the same offence an adult is to be subjected to punishment, and a child to be dealt with in another way, the anomaly ceases when the principle is seen upon which the distinction is founded.

1304. Mr. *Fitzroy.*] You propose to establish these institutions upon a large scale, in fact, they are to be a universal substitute for imprisonment; have you calculated at all to what number you would restrict the establishment?—I find, taking Sir John Pakington's return, that, out of the 10,600 offenders under 16 years of age, which that return mentions, two-sevenths are children under 13 years of age, so that that would only give for each year, throughout all England, to be dealt with, 2,020 children; and I believe, if you could get hold of these 2,020 children, and instead of allowing them to begin and to continue their career as they do under the present system, until it ends in transportation, but reform four-fifths, which I confidently believe you would, there would soon take place a perceptible decrease in the number of commitments. Ten institutions of this kind established in different parts of this country, each for the admission of 200, would almost exhaust the number.

1305. To what number congregated together in these establishments do you think beneficial results would be found to apply?—In the United States they have no difficulty, it appears, in dealing with 300 or 400.

1306. You are aware that it has been stated by Mr. Turner also, that, with large numbers of 700 or 800, moral and reformatory agency are at an end?—Mr. Turner has had much more experience than I have had, and therefore I should be very sorry to question his opinion in the matter, but I think the State Reform School, at Massachusetts, demonstrates conclusively, that 300 could be made to work well.

1307. You would leave the decision as to the total reformation of the child's character, entirely to the decision of the manager?—Yes.

1308. With reference to the Free Day Schools, on which you first gave evidence, you propose that the Committee of Council should make grants to these schools?—If it be the pleasure of the Committee, I will state by and bye what my views are with respect to the Free Day Schools.

1309. Mr. *M'Cullagh.*] I understood you to say that you conceived that, society

society having a duty to perform to these young children, is not at liberty, morally speaking, to inflict punishment previous to the attempt at correction?—Yes; in all cases in which the offender may be said to have acted *sans discernement*.

1310. Do you consider that society ought to be placed *in loco parentis* as regards these?—I think so.

1311. And that as a parent would not attempt to correct a child by referring him at that age to a magistrate, so society ought, in the discharge of the same duty, to attempt to correct him without reference to criminal jurisdiction?—Without inflicting criminal punishment.

1312. For its own sake, also, I understood you to say, that you did not think society gained by substituting punishment in cases of children under 14 years of age?—I think it loses very considerably. I may say that two of Mr. Ellis's lads whom I have made my friends, and who have detailed to me what the whole effect of punishment has been upon them, have told me that the effect of the punishment which they received in gaol was only to harden them.

1313. Then both morally and economically, you think that, upon proof of a first offence, there should be a power to presume orphanage, and that the State, or public institution, should take upon itself all the duties of the parent?—Yes; all the duties of training up the child. As a measure, it would not only be just, but exceedingly practicable, because the claims of a parent over a child are well ascertained by the law.

1314. You would give them no power, more or less?—No, exactly the same.

1315. And with respect to the case where the same offence might be committed by a child under 14 years of age as by an adult, do you conceive that in a short time public opinion will understand the ground of the difference why you punished the adult sufficiently under the criminal law, and referred the incompetent child to a place of reformation, instead of punishment?—I believe so, most thoroughly.

1316. With reference to a question asked you as to the numbers who would probably be referred to such institutions, you stated, as I understood, that they would be very much fewer than might be expected; do you base that opinion upon a belief that there is such a thing as criminal contagion, and that by at once cutting off an individual child from its associates, those associates are probably spared from being placed under the same circumstances?—I believe that there is as much moral infection produced under our present system, by discharging the young criminal from gaol, as there would be physical infection by discharging a small-pox patient from the hospital before he was cured.

1317. And do you think that society is as much benefitted as the soil by thorough drainage, in comparison of leaving all that is good upon the surface?—Much in the same way.

1318. Mr. *Milnes*.] Would you carry your doctrine of irresponsibility to the extent of permitting no more penal treatment of a child than his entrance into a reformatory establishment in consequence of having committed a fault, than you would use towards that child in the ordinary discipline of the establishment?—No more, certainly not; I would treat him exactly as the child in a higher class of life is treated. With respect to a fault that has been committed, he is only treated in a way so as to prevent the repetition of the fault. If punishment be necessary for that purpose, let punishment be administered, but not by way of retribution.

1319. You would not then make a child suffer for an offence for which it is sent to this reformatory asylum in the same way you would if that offence was committed within the walls of an asylum; for instance, if a child within the walls of a Reformatory School was guilty either of pilfering, or of the destruction of property, or anything of that sort; you would, I suppose, admit some means of proper severity to be used to bring the child to a consciousness that it had done something wrong, but you would not permit, if I understand you right, the same treatment towards a child for the offence for which it is sent to this reformatory establishment?—No, for this reason: If an offence is committed within the walls of a reformatory asylum, the managers of the asylum taking into consideration what the state of the child is, will only administer that treatment which tends to reformation; but with respect to an offence committed without the walls of which the managers can know nothing, not knowing the antecedents

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antecedents of the child, the punishment which the managers would inflict would be a punishment that would not tend probably in any way towards the reformation of the child.

1320. And do you think that there would be no injurious effect on the moral sense of the lower classes of this country if they saw that these faults, when committed by children, were permitted to pass altogether without any apparently disagreeable consequences?—I think not, because the whole ground-work of the system would be, the child has acted *sans discernement*; and when once the public mind was satisfied of that, they would admit that the child ought not to be subjected to arbitrary punishment. As it appears to me at present, there is an unfair distinction drawn between children of the two different classes; the children of the higher or middle classes of society and the children of the lower classes; you consign to arbitrary punishment the children of the lower classes, whereas the children of the upper classes, for the faults they commit, escape such punishment altogether.

1321. I have no doubt that in every public school in England there are every day committed a large number of offences for which, if those children were in another rank of life, their whole lives would probably pay the penalty; but do I understand you rightly in saying that you would not inflict any similar punishment upon these children of the lower classes which would be punished in an ordinary school if they were committed by children of the higher classes?—I think, even with respect to school discipline that every day's experience is against arbitrary punishments, such as flogging, and punishments of that kind; the tendency is to get rid of those, and to rely upon reformatory discipline.

1322. Do you object to corporal punishment altogether?—My own feeling is, that it is a degrading punishment, and ought never to be inflicted. The managers of the institutions in America contemplate cases in which children may be in such a moral state that they require punishments of that kind, but the chief punishments that they seem to rely upon now are these: that if a boy will not work well, or will behave badly, he shall not eat; they deprive him of food, and give him bread and water.

1323. Mr. *C. Legh.*] When you compare the case of the child of the middle classes, and the child of the poorer classes, does it not occur to you that the fact of the education of the child in the higher classes, as compared with the want of education in the lower classes, would not be a parallel case?—It is not a parallel case It is a far greater injustice to inflict an arbitrary punishment in the case of the neglected child than upon the child of the upper or middle class.

1324. Mr. *M'Cullagh.*] Do you not conceive that the criminal law requires that such a punishment should be inflicted, not only as is adequate to the offence, but as may have an effect in deterring others, for the sake of society, from committing the same offence; whereas in the case of the offence being committed for which the child has been sent to the Reformatory School, it is only necessary, in your opinion, that such a punishment should be inflicted as is required for his individual reformation, the influence upon society in that case being only excluded from consideration?—I do not think that where a child is under 14 years of age, it is right to make him suffer, in order that others may be deterred from committing a similar offence; and I am persuaded that, with respect to children, they scarcely ever take into their consideration the fact of an associate having been punished for a criminal offence, so as to deter others from committing a similar one.

1325. But are we not often in courts of justice obliged to have regard to the effect which the punishment may have upon others?—As a general proposition, certainly that is the case.

1326. And you say that that is not necessary in this school?—No.

1327. You stated that there was a return made by the town clerk of Ipswich; was that return made with reference to the inquiry before this Committee?—Yes.

1328. Is there anything in that return that might not be put in evidence?—I find by it that of 47 convictions under 16 years of age, 22 were either 13 or under; 12 of them have either been transported or are now bad characters in Ipswich; 13 are not in Ipswich, but have left; two are now in the union workhouse, and only three out of the whole 47 are improved characters in any way.

1329. Would

1329. Would you put in that return?—The analysis I have given is, I think, sufficient.

1330. Is it for this year?—Yes, it has just been made by the town-clerk of Ipswich and the superintendent of police; but it was over a period of fie years.

1331. Mr. *Adderley*.] Is not the whole system of national education in America different from that in England?—Certainly.

1332. As regards State payment?—Certainly; in Massachusetts it is so.

1333. In all the States to which you have referred, is it not the case?—I am not in a condition to speak as to all the States; it is so in Massachusetts.

1334. Where it is so, would not the Reformatory Schools which you have mentioned bear a very much easier relation to the general system of national education than in England?—They would.

1335. They would be a homogeneous portion of the whole system, whereas in England they would be an exception?—Certainly.

1336. Then that being the case, until we have something similar to the American system in England as regards national education, could we introduce such reformatory schools as America gives us models of?—I think we could adapt the principles upon which the American Reformatory Schools are founded and conducted to the present circumstances of this country.

1337. Do you think that the difficulties which we find in England of laying down a system of national education, would connect themselves with a system for introducing such Reformatory Schools?—I think not; the question of religious teaching, which is the chief difficulty, does not arise with respect to our prisons, and these reformatory schools are substitutes for prisons.

1338. In America is there any difference between the standard of education in the Reformatory School and in the Primary School?—No; common school education is the result which they strive at, which would be the same as they receive in the Primary Schools.

1339. Is the education in the Reformatory Schools more industrial than in the Primary Schools?—I think so.

1340. There is this difference?—Yes, there is more industrial training.

1341. And less book instruction?—Yes; but I am not at all sure that, though the number of hours in instruction are less, the progress of instruction is not quite as rapid.

1342. In the Reformatory Schools in America are there any admitted who are neither accused of viciousness nor of actual crime?—I cannot find any cases in the reports in which the boy has not been sent there by a magistrate or a court of justice.

1343. But they may have been brought before a magistrate, accused either of crime or merely of viciousness?—Yes.

1344. Is not the sending to a Reformatory School in America looked upon by the law of America as a suspension rather of the sentence of the law?—It is not so in the State of New York. In the State of Massachusetts an alternative sentence is passed, as I have explained.

1345. So that if the boy deserted one of these schools, he would still find his sentence hanging over him?—Yes, in that state.

1346. Could you mention to the Committee any one in England who could state the general principle of the American law upon this point?—Mr. Hoffman might be able to do so; he was kind enough to furnish me with some of the reports on these schools.

1347. Should you consider, from your knowledge of Reformatory Schools in America, that they are a portion of the national educational system or of the criminal system of the country?—Of the criminal system, certainly.

1348. You have stated that the New York Reformatory School was filled chiefly with foreigners?—Yes, by foreigners.

1349. Do you suppose from that that there is not the same amount of native juvenile crime, or that there is no provision for native juvenile crime in New York?—I have never been to New York myself; but I should think, from what I have heard of it, that the juvenile crime there is very much of the same nature as in most of our large towns, such as Liverpool.

1350. If the Reformatory School is chiefly filled by foreigners, what becomes of the native juvenile criminals?—By the report, I find that the parentage of 323

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white children received during the year 1850 was as follows: Americans, 65; Irish, 195; English, 26; German, 23; Scotch, 9; French, 5. And I suppose that the juvenile crime committed is in this proportion.

1351. Those might not be recent arrivals?—These reports generally state that the juvenile crime in New York arises from the number of emigrants that come there without any means of subsistence; their children become vagrants and petty thieves.

1352. Are these Reformatory Schools open to the children of other states, or only to their own?—To all children who have committed the offence for which they have been sent within the state.

1353. I believe you mentioned that in Pennsylvania the county of Philadelphia bears a large share of the expense?—Yes.

1354. The county rate is heavier than the state rate?—Yes. I find, from the report, that of 143 children who were in the house of refuge, 116 were born in the county of Philadelphia, and 27 only in the other counties of Pennsylvania. Hence the large proportion of the expenses which the county of Philadelphia contributes.

1355. Can you state whether the rate is equally levied over the whole state?—I cannot.

1356. What kind of people form the Executive Committee, that you talked of?—They seem to be the chief inhabitants of the place.

1357. Of course, unpaid?—Unpaid; the superintendents, of course, are paid; but the voluntary assistants are all unpaid.

1358. *Chairman.*] Before we finish the evidence about the Reformatory Schools, I should wish to ask you the age at which you think it desirable that offenders should first become criminally responsible in this country. At present, as you are aware, the law does not admit of the punishment of any offender for felony under the age of 7; between 7 and 14 the presumption of law is, that he is not *capax doli*, though that may be rebutted by evidence; after 14 he is answerable like other persons. Do you suggest that any alteration in the state of the law of England is desirable?—I do not suggest that the law itself should be altered, because the effect of altering the law, and putting children under 14 exactly in the same position as children of seven years of age, would be to prevent any conviction.

1359. With regard to children under 14, are you of opinion that whatever the offence, the child should be treated upon the reformatory principle without anything of retribution?—Certainly.

1360. Whatever the offence?—Whatever the offence.

1361. You are aware, I am sure, of instances that have occurred in the English law, where some of the most malignant cases of arson have been proved against children under 14, and also cases of the most deliberate murder proved against children under that age; would you, in cases of malicious crimes such as I have mentioned to you, deal with a child in the same way as you would in cases of dishonesty?—Yes; of course, wherever you fix an arbitrary limit, there may be exceptional cases; you must, however, put the limit somewhere.

1362. I believe you wish to add something upon the subject of Industrial Schools. That, I believe, is the school intended for the class who now go to what are called the ragged schools?—Yes.

1363. Mr. *Miles.*] Did I understand you that you would send these children to the Reformatory Schools, after their having been convicted upon trial, or when they would have been committed by a magistrate, in which alternative?—Upon summary conviction before a magistrate. It appears to me that, in such a case, to have all the paraphernalia of judge, jury, trial, is prejudicial.

1364. What would you do in cases of grave offences, for instance, an offence which is very common indeed, where a child is used by another for the purpose of house-breaking?—I could not have a better instance to show the difference of treatment that I would pursue in the two different cases. A very common case is, that of a child being got hold of by an adult criminal, and made to participate in an offence. The adult criminal would be tried and sentenced in the usual way, but the child would be taken before the magistrates, and upon its being proved that he had committed the offence of house-breaking, he would be committed to the Reformatory School.

1365. Supposing

1365. Supposing the evidence were so slightly circumstantial against the real principal, that the child's testimony was necessary, as Queen's evidence, to commit the man, how would you insure that the child should give that evidence?—There would be no difficulty about it. There would be a *Habeas Corpus ad Testificandum*. By that process he could be made a witness against the principal.

1366. But do you not think that a great part of his feeling now as to the desirability of giving Queen's evidence would be taken off, if instead of sending him to a prison, you were to send him to an Industrial School, where he would be turned out a much better man?—I think not. I have seen children examined very often, and although they may have been parties in the offence, nothing is generally more clear and more straightforward than a child's evidence under these circumstances. There is no difficulty in getting them to speak the truth.

1367. *Chairman.*] I put to you just now the case of a child guilty of a malignant offence, such as arson or murder. Take the case which has actually occurred, which as a lawyer, you are aware of, in the books, of a boy and girl convicted of a most deliberate and barbarous murder, and actually sentenced to death, and executed at 10 years of age. Supposing such a case as that to occur, would you, instead of proceeding criminally against those children, have them sent to a Reformatory School, by the magistrate before whom the case might be brought, upon mere proof that they were of that age, without further inquiry?—The offence must, of course, be established to the satisfaction of the magistrate. I do not think society, or any of us, could now tolerate what took place then; a child of 10 years of age executed. What better course could we pursue with such a child, than to subject him to careful reformatory training for a lengthened period?

1368. Mr. *Adderley.*] How long ago is that?—That was in the reign of George the Second. The child was cut up, and the body secreted, showing marks of great design, and the court thought for that reason that the law ought to be carried into effect.

1369. Could you tell the Committee what other kinds of national schools there are in these States; do any correspond with our ragged schools?—In New York there is a ragged school about to be established.

1370. Will you state all the kinds of primary schools in New York besides reformatory schools?—I cannot do that; but, as you are aware, in New York, and certainly in Massachusetts, the education of the honest member of society, as distinguished from the criminal or dangerous class, is amply provided for, but the dangerous class is not provided for in the United States any more than it is in this country. In New York they are about to establish, if they have not already established, a Ragged School, I have heard from my friend Mr. M'Gregor.

1371. In the Reformatory Schools which you propose in England, do you consider it necessary that the children, after having completed their education, should be sent abroad?—Not necessarily.

1372. *Chairman.*] You were going to give the Committee some information upon the subject of Industrial or Ragged Schools?—I would proceed in this way: it appears to me that the returns have demonstrated that the crime committed by children has been from the want of industrial, or rather educational training; I take that for granted. The Right Honourable Chairman is aware that, by the common law, which was the foundation of our poor-law, the poor were to be sustained by "parsons, rectors of the church, and the parishioners, so that none of them die for default of sustenance." Now it appears to me that if the duty were equally acknowledged that no child shall become criminal for default of educational training, that then the machinery of the poor-law could at once be made applicable to the present circumstances of the country with respect to criminal children. The reason that children have not educational training proceeds from one of three causes; first, inability upon the part of the parents to send their children to school; secondly, neglect upon the part of the parents or neglect upon the part of the children; and thirdly, the want of sufficient school accommodation. Where it proceeds from inability upon the part of the parents, upon the parent coming before a stipendiary magistrate or two justices of the peace, and satisfying them that he is unable to send his child to school from want of sufficient funds, such justices should have the power to make a school order, and that order should entitle the child to be sent to any school then in existence in the district, the managers of which school would receive the

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child, and there should be power in such order, in certain cases, to direct that a certain amount of food of the plainest possible description should be given to the child. That would be in cases where the parent was unable to send the child. Then if the parent neglected to send the child, it appears to me that any parishioner, upon satisfying a stipendiary magistrate or two justices of the peace that the children of any person were likely to become criminal from want of educational training, that there should be power given to that magistrate to make an order requiring the parent to send the child to school, and that the parent should be subject to a penalty for disobeying that order. Then in cases in which the school accommodation was not sufficient to receive the children, I think, upon the information of any parishioner, the magistrate should have the power to inquire whether there were any children in the district likely to become criminal from want of educational training, and if the present school accommodation were insufficient, and if he were satisfied that this was the case, that he should make an order upon the parish officers requiring them, out of the funds of the parish, to supply that school accommodation, and the managers of the schools that were so established should be compelled to receive children who were sent by reason of a school order, and these schools should also be subject to all the present regulations of the Committee of the Privy Council, with reference to grants in aid of carrying on those schools. It appears to me that in that way, the educational wants of the criminal class (I am restricting my observations to those), would be provided for.

1373. Mr. *Miles.*] I think you have not clearly perceived that the first class of children named in your last answer cannot be called criminal children?—With respect to the first class, what I intended to convey was this: that if a parent found himself in this difficulty, that his children were likely to become criminal from want of educational training, that he could not send his children to school by reason of his poverty, that a magistrate might make a school order, which would not only have the effect of giving the child educational training, but also of giving it food.

1374. Sir *W. Jolliffe.*] And therefore it would be the duty of the magistrate to deal with the child so situated exactly as he would with one who was an incipient criminal?—Just the same.

1375. Do you not think that that would produce throughout the country a very great variation in the practice of all magisterial courts and magisterial jurisdiction?—I think not; if a magistrate were *bonâ fide* satisfied that a parent was in exceedingly poor circumstances, and that his children were running about the alleys of the town or were a pest to the neighbourhood, he would be disposed to make the requisite school-order.

1376. Do you not think that that might lead to very great deception on the part of the parent who might wish to provide food in this way for his children?—I think not; the food would be of the plainest kind, and the magistrates generally would have the means at hand by which they could detect any attempt at deception.

1377. Mr. *Miles.*] Might it not in an agricultural district also have the effect of withdrawing the voluntary provision that is made with regard to education by landed proprietors and other persons in almost every parish throughout England; might it not, if there was a legal provision for educating the children, have the effect of withdrawing very much the voluntary contributions towards them?—On the contrary, I think it would stimulate voluntary efforts; what paralyses voluntary efforts now with respect to these schools, is the small number of persons comparatively in the locality who come forward to support the school; if by any process you can make a locality aid the voluntary efforts of the few, you increase the efficiency of those efforts instead of diminishing it.

1378. Are there not a variety of schools established throughout the country paid in different ways; for instance, are there not schools, very many indeed, entirely supported by the landed proprietors of their respective parishes; are there not, next, others that are supported partly by subscriptions; others, entirely by the pence of the children; and some, likewise, aided by Government?—Certainly.

1379. As far as regards the first description of school, how would you treat that; if you had in each parish a school which you supported yourself, would you allow the magistrate to dictate to you that there is a child likely to become criminal,

criminal, when the parent has the power of sending that child, by the payment of a penny, who desires that the child should be paid for by the parish?—I do not propose to make it compulsory upon the managers of any school to receive a child that was so sent, but if there was not school accommodation for the class I contemplate, I propose that there should be power, if the magistrates are satisfied that there is a class growing up without any educational training, and therefore likely to become criminal, to compel the institution of such a preventive school by the parish officers.

1380. Supposing the school supported itself, and was quite sufficient for the parish, looking at all the young of the parish, because there happened to be one child in this position, would you oblige the parish to build an additional school for the admission of two or three others?—That would be a very extreme case; in those cases, there should be power for the parishes to unite.

1381. Considering the different modes of education which prevail, do you not think that even for this class, contemplated in the last answer, that district schools would be the best way of meeting the difficulty for this particular class we are upon?—Possibly it might be.

1382. That it would get rid of very many of the objections to interfering with voluntary efforts?—Very likely.

1383. If so, would you support the schools by payments of these parishes?—I should make each parish pay its quota in proportion to the number of children that came from that parish.

1384. How would you conduct the school; by a committee?—By a committee; very much in the same way as the Ragged School.

1385. But of course there would be less restriction upon them than in the Reformatory Schools?—Yes.

1386. Would you, as far as regards the master, come upon the funds of the State for payment of any part?—The only fair thing with respect to the community, is to put the school exactly in the same position with respect to State assistance as the ordinary schools are. A lady who was in the room a few days ago, and whose father established a school in which all the children of the parish were admitted, the children of the dangerous classes as well as children of a much higher grade, told me that there has been only one criminal case ever brought home to any child that was instructed in that school, although more than a thousand children have passed through it. That lady is prepared to give evidence upon the subject, if the Committee think fit.

1387. Mr. *C. Legh.*] Was that in a manufacturing district?—No, it was an agricultural district.

1388. Do you not think that there is an immense difference practically in the recommendation whether this industrial school should be one for several parishes combined, or whether it should be imperative upon every parish to have an Industrial School themselves?—I prefer much that each parish should have its school; it was to meet the case put by the Honourable Member for Bristol, that I suggested that parishes might combine so as to form a district school.

1389. Does it not strike you that there would be an immense difference in point of practical effect, that it would interfere with the trust of private individuals and charities?—I do not contemplate a school being erected by the churchwardens and overseers of the parish, unless there be a default of school accommodation; that is, unless either there are not sufficient schools in the parish, or unless the managers of those schools object to receive this class of children.

1390. Mr. *Tufnell.*] Would you have any children sent to these schools, except these destitute children?—I would give power to receive any children whose parents could pay a fixed weekly sum, into the schools established by the parish officers; and I should hope, particularly in agricultural districts, that the managers of schools now established would, when they had sufficient accommodation, receive these destitute children. My own opinion is, that these schools would work far better by a mixture of children of all classes of the community; and one reason of the success of the school that I refer to, has been that children of all the different classes have been sent there.

1391. You consider that it would raise the tone of these destitute juveniles, instead of lowering the tone of the other classes that would be sent there?—Yes, most certainly.

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1392. *Chairman.*] I BELIEVE your father is His Excellency Chevalier Bunsen, Ambassador from the Court of Prussia?—He is.

1393. Are you acquainted with any of the Reformatory Schools or institutions upon the Continent of Europe?—I have taken some interest in this matter for some time, but I think from the great length of experience of some directors and founders of establishments in Germany, that on this point they would be the proper persons to give evidence. What I shall be able to say, which is very little, is founded partly upon having inspected establishments of this character myself, partly from having had the advantage of knowing some of the principal persons intimately, and having, besides, seen letters and reports upon the subject.

1394. What is the particular institution to which you are now alluding?—I would mention four particularly, of which one, although a Swiss establishment, yet has a most decided influence upon a great portion of such establishments in Germany. The four, to mention them in the chronological order of their foundation, would be: First, the establishment at Dusselthal, on the Rhine. This was founded by Count Von Der Recke, who had, before entering upon this establishment at Dusselthal, opened a similar institution on his own estate in Westphalia as early as 1816. The actual establishment of Dusselthal was in the year 1822. The second I would mention is Beuggen, near Basle, situated within Germany, but supported by the inhabitants of Basle. The date of that is 1820. I mentioned Dusselthal first, because its foundation dates as early as 1816. Another is at Berlin, under the superintendence of a gentleman of the name of Kopf, founded in 1825; and the last, perhaps the most influential of all, is the Rauhe Haus, near Hamburgh, founded by and under the superintendence of Mr. Wichern, now Dr. Wichern; that was commenced in the year 1833. All these establishments, if you go to the origin of them, have their foundation, no doubt, in the great attempts made by Pestalozzi, in Switzerland, in the last century; which were imitated again in Switzerland by a friend of his, Fellenberg, and in Germany, at first in the year 1814, by Falk, at Weimar. Their *immediate* object was to take care of children left orphans and destitute of all education, in consequence of the ravaging wars of that period; they embraced also a system of general education, and aimed at the training of schoolmasters. When, afterwards, the German governments made the two latter objects their own, viz., general education and training of schoolmasters, then philanthropists turned their minds to the *permanent* evil of children remaining excluded, by poverty or crime, from the general system of school-education, or falling into crime in spite of it. And thence arose those establishments of which I have mentioned the principal ones in the order of their foundation. Their number increased steadily. But, perhaps, I may date the great impulse given to this movement in Germany, from the year 1848, when the hidden depravity of large portions of our population suddenly breaking upon the public, urged the best in the country to unite their efforts in supporting all practically tested schemes for reclaiming what could be reclaimed before it was too late. Twenty-eight Reformatory Schools have been raised since 1848 by private charity, and the devoted exertions of individuals. At this moment, I believe that the number of reformatory establishments in a wider sense, I mean including morally destitute children, as well as criminal ones, amounts to about 69 in Germany itself; and if I am to take in those of Switzerland, of Sweden, of Denmark, of Holland, and of the German provinces of Russia (those portions, therefore, of Protestant Europe which usually go the same way with Germany, giving and receiving examples), the whole number would amount to 96, if my calculations are right.

1395. Mr. *Cowper.*] Do you include among those places to receive children who have been convicted of crime?—I do; but in some of the principal establishments of this kind, and those which I have mentioned principally, it has been the rule to receive those who have been convicted of a crime together with those who have not, without making any distinction at all in their classification. Now by this time we may see that a certain system has been worked out by long experience, and that system has, perhaps, its principal exponent in the Rauhe Haus, near Hamburgh.

1396. Have

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1396. Have you been at that institution yourself?—I have not; I have had opportunities of knowing a great deal about it, and perhaps a week's stay at the place would not have told me as much as I have been able to learn regarding it.

1397. From what sources do you derive your information with respect to that institution?—The Rauhe Haus publishes reports annually; it has also a weekly paper; I know personally some of the leading members of the managing committee; and above all, I have been for some time personally acquainted, and indeed, during several weeks last year, in hourly communication, with Dr. Wichern, its founder and head.

1398. Do you know the system of discipline adopted there?—It began with only one house, a cottage, in fact, which had been hired, and some few acres of land around it. Mr. Wichern had been in the habit of visiting the wretched alleys of Hamburgh before that. He brought in first a small number, that number increased, and at this present moment the establishment is a hamlet consisting of 20 houses, not all inhabited by these children, but the whole establishment consists of 20 houses. There are in it 100 children, two-thirds boys, and one-third girls; they are all clothed, lodged, and boarded entirely. I should say, that almost all in this particular establishment are taken from that class which either has been in the hands of police already often, or if they have not, it has been so clever as not to get into the hands of the police: I will mention the instance of a boy who had confessed to the magistrate to 92 thefts. But he has also taken children who were given up to him voluntarily. One by a mother, for instance, who saw that her daughter would, from the locality in which they were unfortunately lodged, very likely go the same way as an elder sister of hers, from the temptation surrounding her. It has been made a general rule never to take a child without the consent of its parents, or of those who stand *loco parentis*. They are located (and that is the first principle of what I may call the German system) in different family houses, as they are called, of which the number, as desired by the director, would be always only 12 children to each family; he has been obliged, from local reasons, to augment the number to 15, and even to 16, but it is a matter of much regret to him. A family house of 12 children would have one superintendent, and besides him, four or five "brothers" would reside in the house, under the direction of a young candidate for holy orders. Those "brothers" are young men of from 20 to 30 years of age, of the very best character, from the class of mechanics or artisans, who undergo a training of three and sometimes four years, after which they devote their life to such and similar establishments. And this is the second great principle which I would point out. It has been considered necessary to vary the purposes for which they are here educated, because it was found too difficult to bring away men from their occupations to this new occupation, unless you could hold out to them a general purpose of life to be given to them by it; and so great is the number of other employments of a similar nature which you can give to these men after they have been trained, that the demand for them is always increasing. They are employed as heads of, or assistants and teachers in, Reformatory Schools all over the country. They are called for as heads, or assistants in orphan asylums, and in other charitable establishments, hospitals, and asylums for the aged, &c. There, besides, are at this present moment six of such men, who have been invited by prison authorities to come; they have there (I am speaking of several prisons in Wurtemberg) entered the prison, and they have been clothed in the prison dress; they have lived with the prisoners, they have worked with the prisoners; and although this experiment has been tried only a few years, (since 1849, I believe) yet their example has been found to do marvels in one of the worst prisons in the country. They are furthermore employed as schoolmasters in such districts where particular reasons are given for employing schoolmasters of that particular standard. Extensive use is made of these "brothers" also as agents and *colporteurs* for benevolent societies. The "City Missions" also, and the "Scripture Readers' Societies," which are being formed in German towns, find men properly trained for their labour among the "brothers," of the Rauhe Haus. The poor Germans of London are visited by three German city missionaries, all "brothers" from that establishment; and others are at present labouring with equal self-devotion in Paris, in Naples, and

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and in Constantinople. The men I was just speaking of as living in some of the Wurtemberg, have been called to these prisons from the Rauhe Haus, invited by the prison authorities.

1399. Mr. *Fitzroy.*] Do the prisoners imagine them to be prisoners?—No, they know that they are sent in to live among them for their good. In short, all the different fields of action which are now by a new name being comprised under the name of the Inner Mission (as distinguished from the Heathen mission), are entrusted to the agency of "brothers" educated in the Rauhe Haus and similar establishments; and it must not be forgotten, that during their stay in the Rauhe Haus they are a great assistance in each of the families above described, of children to be reformed. I have said that the establishment is a rural one; the labour is principally agricultural, in the gardens and fields of the establishment. The boys are, besides, employed in a great number of different trades, such as shoemaking, tailoring, ropemaking, printing, bookbinding, &c. &c. They are educated by these very same "brothers," or pupil-teachers, some of whom will have been engaged formerly in those trades, and can consequently turn their knowledge to account here as teachers of the same. There may be sometimes a want of such who have been occupied in farm labour, but it is found that the "brothers" are very easily trained into that, and very soon become proper overseers, under a paid and experienced bailiff, also in the farm. The education is principally of a religious nature, and if you consider the number of actual lessons which the children have, you will see that by far the great proportion of them come to religious instruction in all its branches; Bible-reading, Bible history, Church history, and the Catechism. In the other branches of school-education, they are brought up, I think, a little *below* the standard of our German primary schools, it being found that 24 lessons a week, averaging that for the whole year, is as much as you can do. Of these 24 lessons 12 go to the religious instruction, nine to the other branches of learning, and three to singing in parts. On leaving the establishment they read and write pretty well; they have acquired a fair knowledge of common and mental arithmetic, of German history, of geography, and of natural history. But it has been found in this establishment, and I think it is the experience of all, of which I have read the reports, that Life itself must be the principal school of the children. The results have been very considerable indeed. I should like here to quote Dr. Wichern's own words, who in speaking of the results of the establishment, says that very much depends upon the standard you calculate by. He says some might be satisfied with the fact that, of 200 children who are still living, who have been dismissed from this establishment, only 10 or 12 have ever come in contact with the police.

1400. *Chairman.*] Of those who have left the establishment?—Of those who have left the establishment, only 10 or 12 have ever come in contact with the police, and of these only two or three have been punished severely, on account of a grave offence against property. He is not himself satisfied with this calculation, and he gives some statistics which I will shorten, by saying that a little more than three-fourths (145) have decidedly turned out well; of the remaining, 10 have behaved only indifferently, 22 have behaved ill in his opinion, while 23 have not been heard of lately. They have found it necessary, wherever it was possible, to preserve an intercourse with those who have left the establishment. One way is, that as the most of these boys are from Hamburgh, by far the great majority of them are apprenticed or otherwise employed in that city. Well, they give them a suit of clothes on leaving, and add something besides in the way of linen; they give them some books, they keep up a savings bank for them, together with those who are still in the establishment; and by constantly visiting them, which is one of the employments of those "brothers," they are in weekly communication with them, if not more frequently. It is very usual for these former inmates to visit the establishment on fixed days (on Sundays, on the anniversaries, and so on), and therefore it has become possible to form what ought to be a principal object of such an establishment: the centre of a great number of formerly at least destitute, and very often the worst class of criminal children.

1401. How far is this establishment from Hamburgh?—Two miles.

1402. And most of the children, when they leave the establishment, go to Hamburgh?—Yes.

1403. Within

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1403. Within a distance of two miles, in fact, from the place?—Yes.

1404. Mr. *C. Legh.*] Do you mean English miles?—Yes, I mean two English miles. The establishment was founded by private subscriptions, and is now kept up entirely by private subscriptions. The State, namely, the Government of the Free City of Hamburgh, stands only in this connexion, that the magistrates have under very many circumstances sent children to this establishment; I mean have requested the committee and Dr. Wichern to take charge of these children, in which case they have paid towards the maintenance of them. The only other help of a more public nature is a grant of a sum from the Prussian Government, which has been paid for the last six years, if I mistake not, and with this purpose: it was to pay the expense of training twelve "brothers," during the time of their stay in the Rauhe Haus, who assisted in the work of it, and after their time of education, which was usually three years, sometimes four, would be employed as the Prussian Government would think proper. Practically speaking, the matter has been managed in this way: after a certain time, the Prussian Government, knowing that one or so many young men have received their training at the Government expense, will apply to Dr. Wichern for a guardian, for instance, in a prison, or a preacher to be employed among the workmen on a Government railway, or some similar object; then Dr. Wichern will take such as he thinks most particularly fitted for that particular work out of the whole number of "brothers," who are trained, and send them out to it.

1405. Mr. *Tufnell.*] Is there any limitation with regard to the age?—There is none; and, indeed, I find in all the reports that any limitation beyond the very natural one, that they are sent away as soon as possible after their confirmation, which is, at the latest, about the 18th year, would be impossible; and for this reason, that particularly in the first year of this establishment (for since that the state of public education altogether has improved there as everywhere), he had children among them of the age of 14 and 16 who were not only unable to read and write, but were as near brutes as possible, who could not count from one to six; indeed, he gives in one of his first reports an enumeration of the sort of food that had to be kept out of view of such children, which was something of a most extraordinary nature; very old tallow candles, soap, raw potato-peels, and other things of that kind, which they had a peculiar relish for. I think the earliest age at which they have been received was six or seven years old. I ought perhaps to add a word about the fact of girls being in that establishment; they are now admitted in by far the greater number of establishments of that kind, not under the same roof, because, as I have already said, the Rauhe Haus, and most similar institutions, are hamlets of small houses. Most opinions of persons of the greatest experience upon the subject of reformatory schools in Germany agree that it is exceedingly desirable. First, in an outward or economical point of view, you save a number of servant maids, by their cooking, washing, sewing and marking, knitting, &c. But experience has shown that also on moral grounds, as in their own villages the sexes always grow up together, it is rather better than otherwise to let them grow up together, in these artificial villages, if I may so call institutions of this kind.

1406. Mr. *Cowper.*] Do you mean mixing in the same recreation ground?—No, never; in fact, the only places where they do meet are the chapel, mornings and evenings, and the great school-room, in which the general religious instruction is given in several classes; there the boys and girls are invariably together. The girls' houses are close to the chapel and school-room, and suitably separated from the rest.

1407. And what industrial occupation is given to the girls?—Principally in the house-cleaning, &c., which housemaids do. Then in the kitchen the work was entirely done by them, until a few years ago, when they were obliged to add one maid, and this is the only extra aid that they have in that establishment at all. Then they learn good household sewing, knitting, and such like.

1408. Are they prepared to go out to domestic service when they quit the institution?—Yes, I think, without any exception, they are put out to that afterwards, and the demand for both girls and boys has been always very great; several cases are known to me of masters who, after having employed one of the lads educated there, demanded a second and third. The Rauhe Haus has never found any difficulty to place boys or girls; the only hesitation they have

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sometimes had was, when the person who asked for an inmate of the Haus was not thought the proper person to be entrusted with the further modelling of that inmate's character.

1409. Mr. *Tufnell.*] What is the average number of children there?—A hundred.

1410. What is the proportion of boys to girls?—Two-thirds to one-third.

1411. Mr. *Fitzroy.*] Are they under any sort of restraint; can they go in and out when they like?—Walls there are none; but they are never lost sight of for a moment, excepting the few who are sometimes sent on errands to the village or the town. The staff which I mentioned is so great, that it is clear they *can* be superintended so continually. In every one of these family houses you find, first, the superintendent, or the family brother, as he is there called; secondly, there are the four, sometimes five "*brothers;*" and, thirdly, one "helper," or candidate for holy orders, having the care principally of the education of the *brothers.* These five or even six persons have, in fact, the superintendence in different ways of 12 or 14 children from morning to night; and it is very clear that, if at all well organised, that system must keep the children all and individually under constant supervision and care. The houses which have gradually sprung up since 1833 have been built principally by the hands of the inmates, and a great deal of money saved in that way; of course, not only under the superintendence of the builder, but together with grown-up workmen.

1412. What do the annual subscriptions amount to?—I think I can answer the question most easily, by saying that if you divide the expenses of the whole establishment, including the salary of the principal, the teachers, and so on, upon the children exclusively, it comes to 12 *l.* a year.

1413. Per head?—Per child. If you leave out all expenses excepting those caused by the children, it comes to between 7 *l.* and 9 *l.* per child, taking the average of a number of years.

1414. You spoke of savings banks for their benefit; are they paid anything for the work they do in this establishment?—They are paid a very trifling sum indeed, not in the way of wages, but in the way of encouragement for good behaviour. To elucidate this, I will mention what happens with a boy in the course of a day. He gets up early, in the summer as early as four or half-past four; at six the family separate for their early lessons, and at seven they return for their breakfast. After their early meal they are conducted to chapel; and after divine service is over, to a particular spot close by, where all the establishment meet, from whence they are drafted off to their different employments for that morning. In summer, of course, a much greater number will be demanded for work in the fields than in winter, when more hands are employed in the shoemakers', tailors', and other workshops. During the work in the workshops they have the superintendence of those *brothers* who are at the head of each; in the field the bailiff will take care of them, assisted by a proportionate number of *brothers.* They then return at 12, when the great bell sounds, to their family house, and with them they bring each a little paper on which is their name, and the name of the man under whom they have worked, and a certificate by the latter that they have either worked well, or middling, or badly. In the last-mentioned case they are simply excluded from their dinner, but that happens very rarely. Now the character which has been given them is each day marked in a book, of which the contents are communicated to the whole establishment on every Saturday evening; so that the character of every boy, and again the character of every family, is brought to public notice once every week. This has very good effects, one of which is, that in every family itself a sort of feeling, I will not call it of honour, but a feeling of brotherhood is created, which makes them take care of their own behaviour, as much for the sake of those with whom they are together as for their own sake; and it has, besides, this good effect, that you can award to those who have gone on for a long time earning the character of having worked well, a trifling sum at the end of every month; they are known to prize this very much, and they are generally proud, at the end of every year, to hear that all the boys in the establishment own such a very large sum of money as they afterwards hear, which of course, if put into English money, would only come to a few pounds.

1415. Are there any other punishments than the one to which you have referred,

referred, namely, the loss of their dinner?—There are, as I find in the reports, some of a very striking nature, which could not be generalized, which demand the great power of an individual mind upon the establishment. For instance, in one of the first years I read that Dr. Wichern arrived at his object, after a great disturbance had been occasioned by some evil-intentioned boys, by saying that he would stop the general prayers morning and evening until the perpetrators of a particular misdemeanor had confessed to it; well, this extraordinary means attained its object in a very few days, and during that time he found the aspect of the boys generally was downcast and melancholy. But this I mention as an extraordinary instance. I find that he does not belong to the class of those who consider corporeal punishment as absolutely, and under all circumstances, to be avoided. In Germany, in all public schools, corporeal punishment is absolutely prohibited; it does not exist; and there are many who think that he is wrong in his view. But he has resorted to corporeal punishments in *extreme* cases only.

1416. Do the inmates come originally voluntarily?—There are instances of that, but very few indeed.

1417. How are the others obtained?—The great majority were found vagabonds; they have been traced back to their homes, and the parents have been induced to give them up to this training. They are never received from parents in this way without a written contract made with the managing committee and Dr. Wichern.

1418. They are not sent by any legal authority?—No, not the class I am now speaking of. In these cases the parents, or those who take the place of the parents, give them up by a written contract, by which they promise not to interfere in the way of the education at all during the time, and they give up the right of withdrawing the child without the consent of the establishment. If the withdrawal of the child has been demanded by the parents (or persons standing *loco parentis*), the Rauhe Haus is entitled, by the contract, to reimburse itself for all expenses incurred during the child's stay.

1419. For how long is the contract; is it till they go out?—Till they go out. Another class has been actually sent there by the prison authorities and from the prisons. Another again has been sent there instead of to a prison by the magistrate; this case, however, is not so frequent in Hamburgh as at another of the establishments which I mentioned at the beginning, at Dusselthal. In that establishment, it frequently happens that a magistrate, in sentencing a child, says, "If the committee of the Dusselthal Institution will take you, your sentence shall be to go there."

1420. Confining yourself to the Rauhe Haus, have there been many attempts to escape on the part of these people when once they have been consigned there?—There are several every year, but in most cases they come back in the evening; in other cases they have been found, and then brought back.

1421. Is there any punishment for escape?—Whenever they have come back of their own accord the blame thrown upon them by their fellow inmates has generally been considered as sufficient punishment.

1422. What punishment would there be, supposing one of these inmates were to absent himself for a time, and to be brought back by force?—I find one instance where a boy was flogged, his flight having been prepared for a long time, and his behaviour altogether very bad indeed. Other boys were forbidden speaking to anybody, except to the principal, for some days, and this silent system seems to be one that answers better, in the way of punishment, than any other. It is considered as very hard, and generally has a very salutary effect.

1423. Is corporeal punishment then resorted to as part of the regular system of this establishment?—No, I would say it is resorted to as the last expedient.

1424. *Chairman.*] In extreme cases?—In extreme cases; and therefore I said, it is not considered part of the regular punishment; it is a last resort.

1425. Is solitary confinement resorted to at all?—Never.

1426. What other punishment is resorted to besides this?—Breaking or losing of tools, &c., which belong to the establishment, has been very efficiently punished by a very small fine deducted from the savings-box above alluded to.

1427. How long a time elapses before any effect appears to be produced by this system?—Dr. Wichern considers a short time, almost without exception, useless, and the average of time the children have been kept in his establishment

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ment I find to be: boys, four years and two months; girls, five years and four months; the girls having in general been found by far the most difficult really to reform.

1428. Is it your opinion that a less period than three or four years would be useless?—His experience would lead to this conclusion; but I ought to elucidate this by saying, that so great is the number of applications brought before him in the course of every year, that he takes only the very worst bad cases. The applications made to him within the last five years have averaged 100, out of which he has never been able to take more than 22 or 23, the houses being full; consequently he has taken what would be called desperate cases in most instances, and it is his experience that you ought not to deal with them lightly. He has never brought them to the parish clergyman to be confirmed till he thought them properly instructed for it; neither has he ever sent them away, even after confirmation, until he found a proper place for them. No doubt, in places where all juveniles received, or at least a large proportion of them, are more neglected and in danger than actually vicious, the average of their stay is considerably smaller.

1429. Are trades actually taught in this establishment, or are those only allowed to exercise their trade as they would be taught before?—No, they are taught.

1430. According to the wish of the boy?—Yes, as much as possible.

1431. I suppose very much of the success of the establishment, in your opinion, depends upon the character and qualifications of Dr. Wichern?—Of course it very much depends upon that, he being considered, I think unanimously now in the country, as one of the finest, greatest characters we possess. But it ought not to be forgotten that he has always tried to provide as much as in him lay for the case of the establishment being deprived of his services. There are two things in particular which I would mention. One is the feeling of family life, with which he has tried to imbue those single houses; I could imagine each of those houses going on, as it were, in their life, if suddenly the head of the whole establishment was removed, so intimate and strong a habit of existing together has been fostered in each. The other point I would mention is, that he has taken the first opportunity last year of giving over to a younger man, long time employed under him, all the management of the establishment, reserving to himself some of the most important labours, as the admission of inmates and the religious instruction.

1432. The general superintendence?—The general superintendence of course; then the admission of boys and religious instruction.

1433. Mr. *Cowper*.] Are there many institutions in the country that have been formed in imitation of the Rauhe Haus?—According to the last report, there are 28 others on the same principle, founded in imitation of the Rauhe Haus since 1848, principally in the north of Germany. Brothers from the Rauhe Haus have been called to become heads of such houses. Of these, only the large ones of course will bear having a training establishment united with them.

1434. Do you consider that the generality of these institutions succeed in reforming the children, where they are superintended by persons so able and well qualified as Dr. Wichern?—The experience of those which have been founded only since 1848 would in itself be but small, and I have not a sufficient knowledge of them to answer that. I think I can best answer the question by adverting to the older and similar Dusselthal on the Rhine, which has become well known to the English public through a pamphlet written by the honourable Member himself. This institution a few years since lost its former head, the Count Von Der Recke, its founder and director for a great many years, who withdrew in order to give up the management of the whole to a committee of gentlemen and clergymen of that neighbourhood (trustees I think I ought to call them), and the actual directorship of the establishment itself to a man excellent in every respect, but of no superior education; in fact, a very high sort of a schoolmaster; and in spite of this change the institution flourishes extremely. Two years ago (I believe) a fire took place which destroyed the whole establishment; well, in the confusion ensuing, of the 170 boys and girls who were there, only three ran away; of these, two ran away from mere fright occasioned by the fire, and only one with the intention of delivering himself from the discipline of the place.

1435. Are

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1435. Are the pupil teachers paid?—The pupil teachers or "brothers" are kept at the establishment, and paid a small sum.

1436. And in their after life do they still continue the same employment, or do they usually pass into some other occupation?—Their occupations are varied in the different branches which I mentioned before, in the beginning of my evidence. They devote themselves to all different labours of what we term "Inner Mission," and some, who have been trained at the expense of one of the German governments, are employed by the same for prisons, &c.

1437. Mr. *Tufnell.*] Has the establishment of the Rauhe Haus had any effect in diminishing juvenile delinquency at Hamburgh?—I think so, decidedly; but I should not be able at this moment to give any statistical details. Some of the worst quarters of the alleys and courts of the town have quite changed their appearance since, not only because some of the worst characters have been removed from them into this place, but because many have returned afterwards to be a blessing to their neighbourhood.

1438. Perhaps you could furnish the Committee with some data as to the diminution of juvenile crime in that locality?—I shall try on another occasion.

Veneris, 4° *die Junii*, 1852.

MEMBERS PRESENT.

Mr. Baines.	Mr. Miles.
Mr. Adderley.	Mr. Monsell.
Mr. Cornwall Legh.	Mr. Monckton Milnes.
Mr. Fitzroy.	Mr. Headlam.
The Marquis of Blandford.	Mr. Tufnell.

THE RIGHT HON. M. T. BAINES, IN THE CHAIR.

George Bunsen, Esq., called in; and further Examined.

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1439. *Chairman.*] WHEN the Committee adjourned this day week, a question was put to you by Mr. Tufnell, whether you could furnish this Committee with any data as to the diminution of juvenile crime in Hamburgh and the neighbourhood?—I have gone through the statistics that I could get hold of connected with the city of Hamburgh, and not having found satisfactory accounts I have written to Dr. Wichern, asking him to furnish me with such data, if he can. When I receive Dr. Wichern's letter I shall submit a translation of it to the Committee.

1440. Are there any other points connected with the subject of the inquiry before this Committee upon which you can favour them with any information?—It is peculiarly interesting to compare what has been tried in Germany, and principally at the Rauhe Haus, and in all the establishments which have been opened in imitation of it, with the system which is pursued at Mettray, in France. Perhaps I may be allowed to mention some of the differences. One point is, the number of all the inmates of Mettray, compared with that of the Rauhe Haus. Mettray at one time had as many as 550 inmates, that is *détenus*, young criminals; the Rauhe Haus at no time more than 102. The second point is, to compare the families, as they are called, in both places. They are kept down to the number of 12 at the Rauhe Haus, whenever it is possible, and it is always with regret whenever Dr. Wichern is obliged to take in as many as 15 or 16, this number never having yet been exceeded; whilst the so-called family houses at Mettray always contain as many as 40 boys each. Now, in all the reports about Mettray which I have seen, that number is treated as an immense improvement upon the much larger numbers of boys brought together under the old system, at the *maison centrale*; but it remains to be considered whether the numbers of the establishment, as a whole, and of each family house separately, *are not even now much too large*. The third point consists in the difference of staffs employed; Mettray employs one superintendent to every five or six boys; the Rauhe Haus very nearly one

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one to two. Lastly, I see M. de Metz, at Mettray, keeps the children only as long as the sentence lasts over them; he is not allowed to keep them any longer; and so they are turned out sometimes as early as 14, when the reformatory treatment can have taken comparatively little hold upon their minds; whilst at the Rauhe Haus they have always kept the child till he is considered fit for confirmation, and until, after this, he can be placed with a master thoroughly able to do him good. But there is another subject, the great importance of which I may not have brought out with sufficient strength in my former evidence: that the Rauhe Haus must be considered (and this applies also in a similar degree to the establishment at Mettray) as a training school for brothers. If such establishments as now form the subject of inquiry before this Committee are to flourish many country, it seems necessary that a considerable number of young men from the humbler (although not of the lowest) grades of society should be brought up to find a *vocation* in devoting their whole lives to whatever service among the wretched and neglected they may be called upon to perform. It is not fair either to draw an artizan, for instance, from his employment to act as assistant in a reformatory school, without holding out to him the hope of finding means of subsistence for life in this orin any similar field of charitable labour. As schoolmasters are now trained in every country for their profession, so likewise must every country train the individuals intended to act as pioneers for the discovery, and subsequent improvement, of those among the poor whom Miss Carpenter calls the "perishing" classes of society. Now for such training every well-organized reformatory school of some extent will prove to be the best nucleus. The brothers of the Rauhe Haus are no monastic order, but they labour as the servants of national charity in its widest sense; and the experience of rather more than 150, who have left the establishment for their various stations, gives proof of the inestimable services they bestow upon the community at large. To show among what class, and how they are chosen, I can do no better than read a passage from the pamphlet of Mr. Fletcher, which I believe has already been handed in to the Committee, "The Farm School System of the Continent, and its applicability to the Preventive and Reformatory Education of Pauper and Criminal Children in England and Wales." Mr. Fletcher goes very much into the details of the Rauhe Haus, of which he speaks, I believe, from actual personal investigation, and which he declares to have the largest, and perhaps also the best, *normal school* for institutions of the kind yet existing in Europe.

1441. Before you go further, allow me to ask you whether the description of this institution that you find in Mr. Fletcher's work is, according to your information, a perfectly correct one?—It is perfectly correct. Nobody would expect a complete description in the few pages he devotes to the Rauhe Haus; but I have not found anything in it which is not perfectly correct.

1442. Will you have the goodness now to read the passage?—I will. "As a qualification of admission to the institute proof must be furnished of conduct that has always been honourable and devoid of reproach; of the constant practice of the duties of a good Christian; of being animated with a true religious calling; of exemption from all physical infirmity, and the enjoyment of good health and a sound constitution; of a knowledge of agriculture, or of some trade available in the establishment, or at all events of being endowed with the necessary aptitude for acquiring one or other of these professions; lastly, of the possession of a certain amount of learning or intelligence, and the necessary will to profit by the special instruction organised in their behalf in the institution. They are required, on the other hand, to bring the consent of their parents to the career which they wish to embrace, and a certificate of freedom from military service. The age of admission for brothers is usually from 20 to 30 years of age. Notwithstanding the rigour of these conditions candidates have never been deficient, and their number has usually exceeded that of the vacancies. The Institute of Brothers, like the School of Reform, is supported by private subscriptions and donations, has its own treasury, its budget, and its separate accounts." At this moment the Central Committee for Inner Mission at Berlin has published a plan for instructing, by general voluntary subscription, no less a number than 50 of such brothers, partly upon this establishment of Dr. Wichern's, and partly in other similar establishments, to be employed, after their training is over, as the Society for Inner Mission will think best; and I have no doubt that in parts of Germany where such establishments have not yet been founded, some of these brothers will be sent to become the founders and heads of them. Thus

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the system will become general, and Governments, I have no doubt, will take the matter up by paying for the expenses of the training of such men, and afterwards employing them in similar ways for prisons or orphan asylums, or as schoolmasters in parts which particularly require it, &c. &c.

1443. Mr. *Miles.*] What stay do these brothers make at the Rauhe Haus, previous to being turned out to other establishments?—The time is usually three years, and the expense is just 15 *l.* a year, so that 45 *l.* will cover the expenses of training a young man of that kind.

1444. And in Germany, before the carrying of the system of the Rauhe Haus entirely into operation, you think it perfectly necessary that there should be a number of these trained masters, trained as they are at the Rauhe Haus?—At the Rauhe Haus, and at similar establishments. Honourable Members will know, that M. de Metz, before establishing that excellent institution at Mettray, founded a training school for such men, and never commenced taking in criminals till he had the number, I think, of 12 or 13 trained assistants to begin with. His assistants also have been sent out to found establishments similar to that of Mettray.

1445. You were kind enough in your last answer rather to put the system pursued by M. de Metz and the system pursued at the Rauhe Haus together, so as to draw some conclusions from them; I would ask you, as in both establishments the young people are placed in houses apart from each other, which system you think the best, that which takes the 40 boys, or that which only takes the 12?—That which only takes the 12, or, as necessity has made it, 15. To give one instance, I see from a description of these houses at Mettray that 20 sleep in one dormitory, then 20 sleep in the adjoining room, and in an alcove between the rooms there is a *père de famille*, as he is called, that being considered a sufficient supervision. Now it is evident, even in this one instance, that the care, and consequently the influence, must be much divided. For the class of boys that most requires these schools, it seems indispensable to increase the number of pupil teachers and to diminish the number of boys.

1446. But when you have, as in this country, a large mass of these juvenile criminals to deal with, does it strike you as possible that we should have as many supervisors over these boys as there are at the Rauhe Haus?—I must there speak with great submission, with respect to anything that has to do with England; it strikes me that if you make such an establishment as the Rauhe Haus (which has become the nucleus of all that was the worst in Hamburgh), if you make such an establishment the Normal School, containing the worst sort of boys, and train a very large number of superintendents, who are assistants during the time of their training, you can then put those trained superintendents out into establishments wanting a very much smaller staff of helpers. I have no doubt that many of the boys who are offered to Dr. Wichern annually, but refused admittance, on account of the absence of sufficient space, might be let free much more, and possibly reformed, with a much smaller staff of overseers.

1447. Have you ever heard that the supervision of Mettray is not sufficient?—I will not say that I have.

1448. Then of course, as that takes in so much larger a number of children under inspection in one house, it would apply more to where the number of children are large as criminal children, would it not; there must be less expense?—The expense must be less where there are a smaller number of overseers.

1449. Mr. *Monsell.*] Are the brothers at the Rauhe Haus paid?—They are not. The brother's establishment, or training department, has a separate account, and pays a certain sum annually into the children's establishment fund for each brother's food and lodging. Its funds consist in gifts, legacies, &c., for the brothers' establishment. A powerful help is given temporarily by different Governments. Thus twelve are now paid for by the Prussian Government, two by the Government of Wurtemberg, six by that of Saxony, others by such benevolent persons as may desire to avail themselves of their services afterwards.

1450. When the young men that are there trained go out and are employed, do they receive any regular salary?—No; from the moment of leaving the Rauhe Haus they are perfectly independent of it.

1451. Do they receive a salary for their services?—Yes, where called for.

1452. I do not know whether you have yet stated what the result of your experience with respect to the Rauhe Haus has been; what proportion of juvenile criminals that go in there come out from there reformed?—I stated that in a former

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former part of my evidence, giving two different results; one was, that out of 200 who are now alive, only 10 or 12 have come into contact with the police again; another closer examination into the results, which has been made by Dr. Wichern in a very conscientious manner, makes out that 145 must be considered as fulfilling all the duties of civil life; 10 he would call mediocre, 22 bad, and 23 lost sight of.

1453. Is that result more or less favourable than the result of Mettray?—Looking at the numbers of this latter *exposé* which I have just mentioned, I should say that it is exactly the same.

1454. Will you be so good as to say what is the result of any information that you have upon the subject; what is the proportion at Mettray of the whole number of those that have turned out ill?—My impression, from the short account in Miss Carpenter's book, and from the book of M. Cochin, which I see has been handed in to the Committee by Mr. Hill, is, that it is one-fourth to three-fourths.

1455. I see it stated in the report of Mettray, that "of the 144 thus placed out, seven have relapsed into crime, nine are of doubtful character, and 128 are conducting themselves to the full satisfaction of the directors, and of the patrons under whose superintendence they have been placed. These figures, as the directors truly say, speak for themselves." Does the statement that I have just read to you agree with the previous information that you have upon the subject?—No, it does not.

1456. It is more favourable?—It is more favourable than the impression I had from what I had read. The rough guess which I mentioned first, that only 10 or 12 had come in contact with the police, out of 200, would of course be much more favourable than the one I have just referred to; I think it is so very difficult to calculate the actual effects in any such outward manner.

1457. Have you read the report of M. Cochin, to which I have just referred?—Yes.

1458. Does that agree with the impression which you have derived?—Yes; as far as my memory helps me, I believe that his numbers are one-fourth having, in some way or other, been *récidive*.

1459. Do you suppose that, in both instances, the calculations are made merely upon the assumption that the system fails with regard to none, except those who have fallen afterwards into the hands of the police?—The more accurate list, which I have just given out of Dr. Wichern's book, makes more classifications of that, because it speaks of the mediocre class as well as of the bad; and it mentions the bad as being 22, which is a much greater number than the 10 or 12 formerly mentioned as having fallen into the hands of the police, which proves that he has, by very great pains, succeeded in obtaining more accurate knowledge than the mere outward facts would have supplied him with.

1460. Mr. *Adderley*.] Can you tell the Committee what sort of punishment or treatment the children used to have before these institutions were formed in Prussia or Hamburgh; to what sort of punishments were they liable by law?—I cannot call this establishment of Dr. Wichern an improvement upon any other former system, because it is new in itself.

1461. But what was the legal punishment to which children of the average kind of crime would have been liable, and would have received, before this institution was formed?—They would have come into the house of correction, as I think I ought to have called it in English.

1462. Subject to terms of imprisonment?—Yes.

1463. Would they have been subject to corporal punishment by law?—Yes, frequently.

1464. Is corporal punishment in Prussia frequently practised upon juvenile criminals?—Yes.

1465. And generally they would have been punished by imprisonment and corporal punishment?—Yes; during the imprisonment they would have been put to some work or other, and would have received some instruction, but generally with much less motive for exertion, and consequently with much less reformatory effect, than in this system pursued at the Rauhe Haus.

1466. What sort of terms of imprisonment would such children receive?—I do not know any limit of years.

1467. Would they have been imprisoned for such terms as a year?—Longer.

1468. In your opinion, would the terms of imprisonment for juvenile criminals be longer than in England?—I believe not.

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1469. Is there any special legislation necessary to enable magistrates to send children to these Reformatory Schools?—No change of legislation upon the point was necessary, neither in establishments which, like Dusselthal, take children on the committal of a magistrate, or, like the Rauhe Haus, receive them only when acquitted *ad hoc*, and only with the parents' consent. The discretionary power of a police magistrate was perfectly sufficient in both cases.

1470. The law as it existed gave the magistrate that power?—Yes.

1471. Then is the sending the child to one of those establishments looked upon as in lieu of punishment?—Yes.

1472. Is it looked upon as an actual sentence of the law, or is it looked upon as a substitution for a sentence?—I dare say the impression in the public, when the magistrate declares himself ready to give up a young criminal to a reformatory school, would show an interest taken by the magistrate in a boy for some reason or other, that he might deem him particularly fit for reformation, or that the manner in which his parents lived was so bad that the child ought to be temporarily separated from them.

1473. Does it leave upon the child the stigma of having been a convicted criminal?—Distinctly not; I believe that is one of the points to be kept in view. I will speak here of Dusselthal for a moment, because I have read a report of that quite lately. So many children are sent there by parents, because they fear contamination of their children on account of the locality in which they live; so many are sent by the parishes, because they see a child is perfectly abandoned by its parents not taking sufficient notice of it; so many are sent by magistrates almost on the first sign of their behaving ill, that the proportion is quite as two-thirds to one-third between actual criminals and such as, it is feared, might become criminals in the course of time. The consequence is, that a young lad coming out of Dusselthal is not looked upon as a reformed criminal. He has not the stigma of having committed a criminal offence, but the public receives him as a boy coming from an establishment of a peculiarly excellent character.

1474. The system is looked upon then rather as one of tutelage than of legislative correction?—I would decidedly say so.

1475. Does any sentence hang over a boy so that if he deserted from one of these schools he would still find the penal sentence attaching to him?—He would invariably be brought back by the police of the establishment, and if he was found unmanageable at the establishment, he would be sent back to prison if he came from prison, or to the magistrate to dispose of in any way that he might think fit.

1476. He would be still under the surveillance of the law?—Yes.

1477. I think you stated that no children were in these schools without the consent of their parents; I conclude you do not mean in cases of their having been brought up before magistrates?—In the Rauhe Haus, and those schools established in imitation of it, the authorities would be expected to set free the child for the purpose of its being received. These establishments being, of course, more or less local, the consent of the parents is more easily attained by serious personal advice. Should the consent be peremptorily refused, the child must bear its original sentence of imprisonment, &c.

1478. What I wanted to know is, has the magistrate, when he commits a child to your Reformatory School, to get the consent of the child's parents, or can he compel the child to go?—I would there distinguish between the different establishments. At Dusselthal he would compel the child to go, supposing always that the Dusselthal Institution would take it; but I believe that Dr. Wichern would never accept a child unless the parent gave his consent to the sentence pronounced by the judge.

1479. Supposing there is no parent in the case, would there be the same scruple as to the child's consent; if an orphan had no one *in loco parentis* would the child's consent be necessary to send him there?—An orphan cannot be without some person taking the place of guardian.

1480. A child could not refuse to go?—I should say not.

1481. You mentioned some cases in which parents had requested Dr. Wichern to take their children into his care in this school, although those children had not been guilty of any crime?—Yes, I have one in mind more particularly; a respectable woman came to Dr. Wichern about three years ago, and said that her husband and herself, having lost their principal means of subsistence not very long before, had settled in a new locality, and had only found out some time after settling in it that this locality was of the very worst description. Their family consisted of three daughters; two of the daughters had already been drawn into a line of vice

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by the temptations of the neighbourhood, and the mother, fearing that the same might be the case with the third, brought her girl, then only 12 or 13, to Dr. Wichern's establishment, imploring him to preserve her child by allowing her to lodge in the place.

1482. She was herself a respectable person?—Quite so.

1483. Do you anticipate that there may be more cases of parents sending their children for tutelage and protection?—Applications to the number, I am told, of 216 within the last year, have been made from families living in better circumstances, sometimes high in rank. For such, a *pensionnat* is now being erected, consisting of three houses, closely adjoining the Rauhe Haus, where young lads turned out of school, or out of their regiment, on whom every common experiment of education has failed, may be educated, and live somewhat more according to their rank in society.

1484. How far off will they be from the building?—They are quite close.

1485. Will it appear to be the same building?—Not the same building, but belonging to the same complex of buildings. The boys of the *pensionnat* will join the others in the hours of public worship, and in their music lessons. The general tuition, and their out-of-door work, will be entirely separate.

1486. Out of these 216, although there are some cases of children who had become unmanageable at home, there are others whose parents, for protection, sent them there?—No; these 216 are exclusively such upon whom all means of parental care and education have failed.

1487. Then you do not know of any other case than the one you mentioned, of the parents sending the child for protection?—I mentioned the one, and the reports of the Rauhe Haus, particularly of the first six years (which are very instructive in that respect), contain several others. Since that time the reports never contain anything *personal* about the children, their characters, their histories, or their reformation, because it was found too dangerous that they should come into possession of those papers afterwards, and be, as it were, made a show of.

1488. Will you state, in the case of Berlin, for instance, what are the other kinds of National Primary Schools?—Every province of Prussia has a Normal School for the training of schoolmasters, and these schoolmasters are spread out from thence all over the country. The primary education, as you well know, is compulsory in that country. The same system is followed always, without any difference, in most other countries of Germany, perhaps parts of Bavaria and Austria excepted; the standard of actual teaching in these elementary or primary schools I find is very much the same all over Germany.

1489. Have you any Primary Schools for those whom we should call paupers specially?—Every town has its own, and those are founded upon municipal local grants.

1490. Into which none but paupers are admitted?—They are under different denominations; they are called Free Schools, Pauper Schools, &c.

1491. I wish to know whether the children of independent poor parents and the children of actually destitute parents could be found in the same school or in a separate school?—In different schools.

1492. So that there are some schools exclusively for the pauper or destitute children?—Yes, where nothing is paid, whilst in the other payment is required from the parents.

1493. In the Primary Schools of the independent poor the payment is made per child?—Yes.

1494. It is not levied by a rate upon the whole community?—Distinctly not; it is per child upon the parents.

1495. What would be the comparative standard of education at these three different kinds of schools: the Primary School for the independent poor, the Pauper School, and the Reformatory School?—I would say that the teaching at the Reformatory School and that at the Free School would be the same, and both together lower than at the usually called Primary Schools, which are being paid for by the parents of the children.

1496. Is there much difference in the standard or in the nature of the education?—There are fewer lessons, and I believe that the children at the usual elementary schools sometimes would draw up a sum much better, and perhaps write a much better handwriting, and might seem altogether even better educated, than the children who come out of the Rauhe Haus.

1497. Are

1497. Are they taken into the higher branches of instruction?—Yes.

1498. Is there anything as to the amount of industrial education; is there less book learning and more trade work?—I was speaking just now only of the book learning, because the industrial education of the Rauhe Haus, for instance, goes very far indeed, and makes every child there perfectly able to be apprenticed immediately afterwards.

1499. Am I right in supposing that the difference between the one and the other is, that there is more industrial training at the Rauhe Haus?—Exactly.

1500. Is the object of that to prevent anything like a peculiar attractiveness to the Reformatory School?—I believe the reason is simply this, that in the Reformatory School they have found it so necessary to make out-door and industrial training, the actual work of the body, to do half of the work, that they have no time for the book learning. They do as much of that in winter as they can, but in summer they have much fewer lessons, and they find that you can have a much stronger hold upon the mind and morals of the child by actual labour than by increasing the teaching beyond what is absolutely necessary for their future station in life.

1501. Should you be afraid, if the education of the Reformatory School were as good or better than that in the Free Schools, that there would be any inducement to children to go through the process of crime in order to get into that school?—I should say decidedly not; but I do not speak from personal experience at all. All I have always heard is, that children are afraid of Reformatory Schools in general before they get in, and that they fear them more than they fear a prison; they are afraid from the actual want of the habits of order and cleanliness, working from morning to night; they are afraid of that much more than they are of the comparatively idle life in prison.

1502. Should you say that these Reformatory Schools are a portion of the system of the general education, or a sort of penal exception?—We may hope that they will gradually become part of the system of national education from the mere fact of the increase of these establishments, and from the immense interest taken in them at this moment, indeed ever since the year 1848; we may believe that by degrees they will become part of a portion of the general system. They are now quite excluded from it, because the general system is entirely in the hands of Government, and one of the principles of this is, to go entirely on its own ground. Government assists, but does not found such Reformatory Schools. In Bavaria, for instance, Government has lately resolved, and the chambers have permitted, that a certain sum annually should be paid out to every Reformatory School founded by respectable persons, without thereby encroaching on its independent action.

1503. Do you suppose that if it does become a portion of the general system that it will become amalgamated with the other schools, as, for instance, the pauper school, that they will become both one and the same?—I apprehend, without waiting for the existence of such an establishment being founded and carried on by men entirely devoted to the subject, and therefore for the Government to come in and assist, or make use of the elements already existing, it would soon become very useless. If the system of half reformatory and half preventive succeed, if I may so call it, if that is to be carried on exclusively by Government, we should soon find it failing in its purpose.

1504. I understood you to say, that the necessity of partial voluntary support being given to the Reformatory Schools will always necessitate a distinction between those schools and the pauper schools?—What I meant to say was this, that the great apprehension would be, that the Government would do better not to found those establishments, but to assist them when they existed.

1505. From your knowledge of England, as well as Prussia, do you yourself foresee any difficulty in introducing such schools into England, upon the model of those of Prussia and of the Rauhe Haus, at Hamburgh?—I should say not, from the existence of the large amount of persons among the lower middle class in this country eminently suited to become "brothers," or assistants, helpers, or what are called in Mr. Fletcher's work, the brethren. One sees a great readiness among English artizans, &c., where you have to look for overseers, to come forward, and to spend their lives in a sphere of activity which is not contrary to theirs, but as it were an elevation of their own. In confirmation of this, I need only mention the extraordinary merits of this class, as shown in the London City Missions, &c.

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1506. Do you see anything in the difference of our system of national education which would present difficulties in England which do not exist in Prussia?—No, I do not see any.

1507. I understand that the King of Prussia makes use of the Rauhe Haus School, to a certain extent, to obtain trained assistants from it?—Exactly.

1508. But are children ever sent from Berlin to the Rauhe Haus?—No, the children have been almost exclusively from Hamburgh.

1509. Then that is the only use made by Prussia of this school?—Yes, that is the only one.

1510. When you stated that the children educated in the Rauhe Haus are all sent into Hamburgh to their homes again, has that been found to be objectionable; their falling into the old haunts of their vicious companions; or have they taken a new life?—With the very few exceptions which I was mentioning, the return of those lads into Hamburgh has, on the contrary, worked extremely well; not only have they looked upon the Rauhe Haus as their home, they have gone to it on Sundays, but they have come there and spent their free hours; and some portions of the city which they inhabited before they went to the Rauhe Haus they have done very great good indeed to, by improving the whole character of the neighbourhood. I have several of such cases actually in memory from the reports.

1511. From your knowledge of Reformatory Schools, you see no necessity for the children, after the completion of their education there, being sent to a distance or to another country?—None; the applications for them have been very numerous; there has been no difficulty ever experienced in placing a boy out who was thought fit to be so placed, except that the directors were anxious to obtain the very best person the boy was to be placed with, instead of taking the first who came forward to propose accepting him.

1512. Do you think the boys educated at those schools are more sought after than other boys?—I am not prepared to say that.

1513. I have heard of such things being of great use to a boy in France, his being able to state that he had been at Mettray; do you know whether it is the same in Prussia?—I am not able to say that; I can only answer that at the Rauhe Haus, and at Dusselthal, there have always been applications for more than could be supplied.

1514. Do you think that the brothers you talked of could be obtained out of the pupils of the institution itself?—I do not believe they can; in one or two cases I find that Dr. Wichern has looked forward to one or two of the boys, who did extremely well after having been in his establishment, as promising to become assistants in his work at a later period, but I do not see in the reports any such particular case; I shall beg Dr. Wichern to give me an answer also upon that point, which I shall lay before the Committee, as well as the answer to another question which was previously put to me.

1515. Is it anticipated that this institution will be more self-paying in time than it is now; that it will be more productive?—I do not see how it could.

1516. Is it hoped ever to be self-paying?—No; it never will be.

1517. You always anticipate that there must be partial assistance from the State and partial voluntary assistance?—There always must be the latter at any rate.

1518. Mr. *Fitzroy.*] You stated just now that you thought the number in the family at Mettray was a great drawback to the system; is that a mere theoretical opinion, or is it an opinion which is founded upon any facts that have come to your knowledge in respect of its being a drawback?—No; I only give that opinion as being borne out by all those who are embarked in this labour in Germany, who have all the same fear of too large numbers. Dr. Wichern, without ever, as far as I know, drawing any comparison between his own system and any other, I know was very eloquent about the necessity of diminishing the numbers when you do deal with very hardened, or at least with boys in danger of becoming hardened, criminals.

1519. But you are not aware that at Mettray the system has failed to any extent on account of this?—I am not.

1520. Mr. *M. Milnes.*] Have you visited the establishment at Red Hill?—I have.

1521. Have you any remarks to make as to the impression which that establishment made upon you?—From seeing the great and excellent results at Red Hill, I came to the conclusion that young English criminals must be a very much finer set than those who the French had to be proud of, because they certainly

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certainly were left very much more to themselves, it struck me, than either at Mettray, or still in a higher degree at the Rauhe Haus; as the results are so extraordinarily good, I have not the slightest doubt that the materials upon which you work at Red Hill must be very much more excellent than elsewhere; although they may have been in prison for offences, yet they must be characters much more easily reformed than the same set of boys in other countries.

1522. Did it appear to you that the superintendence was not sufficient for its object?—It would be very presumptuous for me to answer that question in the affirmative, but I did not know from the only cursory visit I ever made. Labourers, I saw, were entrusted with the actual moral superintendence of the boys in their field-labour; there were gangs of these boys, I believe, without even labourers having superintendence over them, but only some of their own number monitors, as they were called; now such superintendence might in many instances (I speak here quite theoretically) have dangerous, and even nefarious effects.

1523. Mr. *Adderley*.] Do you know whether in the Rauhe Haus there are any children guilty of the worst kinds of crimes; cases in which there was an evident maliciousness in the child of the worst kind; such as of malicious injury to property, or even murder?—I know no such case; the most frequent cases are those of very settled vagabond existence, which brings on all possible faults of character, but I do not know of such actual kinds of crime. I think I have mentioned the case of one of the very first boys, who confessed to 93 thefts that he had committed when the Rauhe Haus took him in.

1524. The Marquis of *Blandford*.] Is there any inspection of these schools on the part of the State in Prussia?—None whatever, as far as I know. The Rauhe Haus is in the territory of the free city of Hamburgh, and I am not aware of its being at all under the supervision of the Hamburgh Government. This does not diminish its influence or credit with the public, inasmuch as the principal supporters of it were and are among the chief persons in the government of the city. There was Syndicus Sieveking, one of the most influential men, and several of the senators were in the committee, and are now. As for Dusselthal, which lies within the Prussian dominions, I am not aware of its being under any supervision of Government. The King of Prussia is himself a subscriber to a large amount, but Government has no hand in it.

1525. The State authorities have sufficient confidence in those under whose direction the institution is founded to send juvenile criminals into the establishment without any further supervision?—Exactly; Government considers the spirit in which it was founded, and is carried on, a sufficient guarantee.

1526. And it is not assisted by funds of the State at all?—No, not at all; in Wurtemberg it is different; there some of the establishments are directly supported, and some, I believe, founded by Government. Bavaria, also, as I said before, assists the foundation of such reformatory schools throughout the kingdom by special grants.

1527. Would the character of the religious instruction given in those establishments depend upon the particular views entertained by the principals?—In those establishments which I have had the opportunity of studying a little, I find that the instruction has been a pure Biblical one, without any peculiar characteristic of denomination or sect. It has been quite restricted to Biblical instruction, but of the most clear and impressive character.

1528. You spoke, I think, in a former part of your evidence, about the catechism that was taught in one of these institutions?—That is Luther's; and this may be considered as the foundation of all Protestant education in Germany; I should except those portions of Protestant Germany which are still exclusively Calvinistic, but in most parts of Protestant Germany the two principal divisions of the Protestant confession, Lutherans and Calvinists, have been united in what is called the United Evangelical Church, and there this catechism is everywhere to be found.

1529. In fact, it is a catechism of such a nature, that large bodies of persons in Prussia and Germany can unite upon it?—All the Protestants of Germany could unite upon it, with the exception of some bodies of men whose doctrine is specially Calvinistic.

1530. In fact, it is the catechism containing the views professed by the great majority of the people?—By the great majority of the Protestant people.

The Rev. *John Clay*, B. D., called in; and Examined.

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1531. *Chairman.*] ARE you Chaplain of the Gaol and House of Correction at Preston, in Lancashire?—I am.

1532. How long have you filled that office?—About 31 years.

1533. During that time have you been in the habit of performing the duties of your office in person?—All the time.

1534. Have you had constant communication with the gaoler, and with those under him, and with the prisoners themselves?—Invariably, as a matter of course, as a matter of daily routine.

1535. Have you had a great number of juvenile offenders in the prison during the time of your chaplaincy?—During the whole time, of course, I have had a considerable number; but the annual number has not been so large as in some other counties, and that annual number has certainly latterly diminished very considerably.

1536. Has your attention been particularly directed to the cases of the juvenile offenders, and the methods which present themselves for the reformation of those offenders?—Particularly so; they form the most interesting class of prisoners. All chaplains, I think, will come to that conclusion, and therefore my attention has been particularly directed to the children themselves, as to the causes which have led them into crime; and I have always supposed that having understood the causes which led into crime, those causes would suggest corresponding remedies.

1537. Will you be good enough to state to the Committee, briefly, the principal causes which, according to your observation, have led to crime in juvenile offenders?—In almost every case of juvenile offence which has come under my observation, at all events in a very great majority of cases, the cause has been in the ignorance, neglect, drunkenness, and too often the brutality of the parents; in general terms, the utter want of knowledge on the part of the parents, their want of control over their children, their want of principle. Of course I am prepared to give a general idea of that want of control, and want of knowledge, and the neglect of the parents, or to go more or less into detail, as the Committee may think fit.

1538. The Committee are anxious to obtain from you, inasmuch as you have come to the conclusion that in order to obtain satisfactory results as to the means of reforming children, it is necessary to discover, as far as you can, the causes of their criminality, a brief statement of the principal causes which, during your period of office, have forced themselves upon your observation?—I came prepared to give shortly, or in detail, if it should be required, my opinion of those causes. I may refer, probably, to my Prison Report for the year 1849, a duplicate of which I think you have before you.

1539. How long have you been in the habit of preparing annual prison reports?—From the year 1824, which was the first year in which reports were required by the late Sir Robert Peel's Act.

1540. For a number of years past they have been printed, I believe, and very generally circulated?—Yes; from the year 1837. Previous to that they were merely printed in the newspapers, and I am sorry to say that I have not copies of them.

1541. You have not filled a similar office in any other prison, I presume?—No, I have not. The details which I give with regard to Preston apply to the entire of North Lancashire, that is, to a population of nearly 500,000 persons; therefore what I should say with regard to Preston will apply very closely to everything connected with the manufacturing districts of the north of England.

1542. I would rather you should pursue your own order in stating these causes?—It appears from the report in 1844 that in speaking to a town prisoner I said to him, "I remember you had a brother here." He said, "Yes." I inquired of the boy, "What wages does he get?" I had previously inquired what wages the little boy before me had got. "You have a brother that was here once, how much a week does he get?" "He's more sense than to tell; he gives our folks 2 *s.* or 3 *s.* a week, and keeps the rest for himself." That little boy who thus kept the whole of his wages to himself was living with a family, some members of which were not more than 15 years of age; that is merely an instance, but the evident want of control is the thing which spreads itself over almost everything I shall have to lay before the Committee.

1543. Will

1543. Will you proceed to any other cause?—Their indifference to demoralizing influences.

1544. The indifference of the parents?—The indifference on the part of the parents to the demoralizing amusements which the children partake of. In my report of 1850 there is an account prepared for me, by our schoolmaster, of a visit which he made, in conjunction with another very intelligent officer, to what is called the Singing Room in Preston; the Singing Room is a room appropriated to low dramatic entertainments of the very vilest character.

1545. Perhaps you need not go into detail upon that subject, but would you illustrate what you are now saying by referring to certain amusements?—They called this a singing room, but it is a room in which they have got representations of a most demoralizing character.

1546. That you would point out as a cause of juvenile crime, so far as it has come under your observation?—Yes, most decidedly so; and when we find 700 persons assembled in that room, of course we infer the direct want of parental control.

1547. Will you proceed to any other cause?—You have before you a paper marked (A.), in which you have an individual case (No. 6), of that indifference on the part of the parents to the demoralizing amusements of their children: a boy committed within the last month, "J. S., aged 13, both parents living, and those parents earning 32 *s.* weekly." Upon making my usual inquiry as to his knowledge of the exploits of highwaymen, and so forth, he said, "My mother told me about Dick Turpin and Jack Sheppard." He then said that he had attended at the Albion Singing Room for four or five months; the first time he went his father and mother took him. I may, by way of illustrating the want of principle in the parents, say that they instruct their children almost systematically to falsify their ages, in order that they may, at an earlier period than the law permits, obtain employment at the manufactories; of course this very fact has a very bad effect upon the children.

1548. There is a limit imposed by the Factory Act?—Yes.

1549. And in order to elude that, previous falsification of age takes place?—Yes, the child will falsify his age at the instigation of the parent.

1550. Be good enough briefly to enumerate any other causes?—There are the causes connected with parentage which we find at work in Preston. At Preston we have, like in other towns in Lancashire, a number of Irish emigrants resident amongst us, and those Irish emigrants, so to speak, settle down in low parts of the town, and systematically send their children out to beg and pilfer, and in fact to obtain the means of living by whatever acts they have the opportunity of committing.

1551. Are there any other that occur to you as causes which you wish to mention to the Committee?—To illustrate the ignorance, the brutality, and the drunkenness of parents, which directly drive children into crime, I have extracted from my journal a certain account which I only wrote a few weeks ago. It is the case of two boys, one of them about nine, and the other of them about 11, of the names of Marshall; with the permission of the Committee I will read the extract in full, or put in the paper, whichever they may think best.

1552. Probably you will put in the paper in illustration of what you are saying?—I will. (*The Witness handed in the Document marked* (A.)) There are two cases I will just advert to; the latter, which I should be glad were it put upon the Report, shows the unconsciousness on the part of the parents, of the mischief which they permit on the part of their children: a boy, committed for trial, and committed to prison; a short time after, the parents wrote to me to know how he got on, and requested also earnestly that I would give the boy good religious advice. I knew what the previous conduct of those parents had been, which conduct is related here, and this conduct showed that they had exhibited to the child the very worst example possible. I have here a narrative of one of the convicts, which I think contains the truest description of a working man's home, when everything like order and religion are absent from it, that I have ever met with, and it is a description recognized as true and faithful by the working classes themselves; I printed it some years ago, for circulation amongst the poor.

Vide Appendix.

1553. Perhaps you will be good enough to hand it in?—I will. (*The Witness handed in the Document marked* (B.)) I may observe with regard to that man, that now for six years he has fulfilled all the hopes that I entertained of his reformation; I have seen him within the last few months.

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1554. Mr. *Fitzroy.*] Have you seen him personally?—Yes; I have seen the hero of that story within the last few months, and he has, from the time of his liberation, gone on satisfactorily, although he has had to contend with many difficulties. In the Report for 1849 there are about 19 of the personal narratives of convicts, at the beginning of the Appendix; each of those 19 directly state that drunkenness, and the brutality of the parental home, has been the cause of the children's crime; as, for instance, No. 1: "My father used to come home and beat my mother, and break all the things in the house;" that is the commencement of it, and so forth, for the whole 19 statements.

1555. *Chairman.*] I think you say that your attention has been particularly directed to the subject of the means for the prevention of juvenile crime?—I can hardly say that my attention has been turned to a specific remedy for juvenile crime; but what has presented itself to my mind is this, that we do possess educational machinery in abundance, in our part of the kingdom, for the benefit of the poor, but that machinery is not in proper working order; we have schools in abundance, but those schools are all conducted on an erroneous principle; our children are crammed with that which is irksome and jading to them, and they leave the school as soon as they possibly can, with disgust; and I find that when these children come into prison they can read as fluently as I can, but they understand nothing whatever of what they read.

1556. You have before you a paper, of which I have a copy here, drawn up by yourself, as to the remedies for juvenile crime?—I have.

1557. Will you be good enough to refer to that paper, and, keeping it before you, inform the Committee of any conclusions at which you have arrived upon that subject?—"As to remedies for juvenile crime. Whatever conduces to the comfort and moral respectability of the working man's home has a sure tendency to obviate the going astray of his children. It has been shown that the juvenile crime of North Lancashire, and there can be no doubt but that the case is similar in most other parts of the kingdom, arises chiefly from parental neglect, drunkenness and ill-usage. Therefore it would be well to endeavour to act on the sources of that drunkenness, &c., by placing public-houses under more strict regulations, and by abolishing altogether the beer-houses where drinking on the premises is allowed." That really is the fact; the beer-house I find to be *par excellence* the great source of crime. Then I go on to say, in the second place, "It will be desirable, to give greater efficiency to the existing schools for the working classes, to exchange the present irksome and uninteresting routine, which, at the best, merely enables a child to read mechanically, and without the slightest intelligence, for a plan calculated to interest; to stimulate healthy curiosity; to cultivate the reasoning faculties; to develope the moral sentiments; and to instil, by frequent and *à-propos* reference to the doctrines and precepts of the Gospel, sound and well-comprehended religious principles." The Committee will understand what I mean by that; I do not want the Scriptures to be made, as they are invariably made in our schools, a task; in these times both pupils and teachers seem to think that the reading the book, and especially committing to memory any part of the book, is a meritorious act, and that in that act goodness consists; they do it, and think that all the duty is done, without applying the great doctrines there contained either to themselves or their conduct. I then proceed to say, "Industrial training to be combined with this. It has been too long forgotten that children naturally and providentially like to do something." Since writing this, knowing how ready English children are to break and destroy, I am reminded of the old proverb—

> "The children of Holland find pleasure in making
> What the children of England find pleasure in breaking."

And so it is; they are not taught anything of an industrial character, and I think that that applies to all classes. "The first elements of arithmetic, of which most of the poor are incredibly ignorant, the first elements of natural history, about birds, dogs and cats, &c., should also be taught, and the last-mentioned in such a way as to counteract that proneness towards cruelty to animals which children are too liable to fall into." It may not be out of the way to quote what is reported to have been said by the late Archbishop Jebb, as applied to a young married man: "The moment you can, provide pets for your children;" and this, I think, applies very strongly to the feelings of the children. "Oral teaching might be advanced considerably on the above-named subjects, and the moral and intellectual

intellectual powers might be greatly developed before the child be taught a letter of the alphabet; and when instruction in reading is commenced it should be made as agreeable as possible. The child's efforts to learn should be encouraged by holding out to him the pleasure and benefit he will gain by being able to read for himself, a great deal more about the subjects in which he is already interested. This should apply especially to Gospel history, and all possible care be taken that the Testament is never associated with anything irksome or task-like, but that the reading of it should be regarded as a privilege and reward." I need not state to the Committee that the very reverse of that is the system which is pursued in almost all our schools.

1558. The Marquis of *Blandford.*] You are speaking now with reference to National Schools?—I was perhaps thinking more especially of Sunday Schools. I ought to say that I believe that the National Schools are decidedly improving, but all is not done in that respect that ought to be done. They have introduced in our neighbourhood some admirable books adapted by a society in Ireland, and now the understanding of the children is a little more attended to. I then proceed to say: "Reading should be taught in the most rapid and the easiest way, as it is only a means, not an end." There I think the great mistake has been committed. All these persons have been considered educated who have merely had put into their hands the tools for education, and nothing should ever be read by the child which he is not made thoroughly to understand. I know nothing better for this mode of teaching at present than what is called the "Mimpress Plan." That is a plan which I have now adopted for about two years in the gaol, and with very great success; by it the drudgery of learning the alphabet is avoided, and the first lesson which a prisoner receives communicates to him some information. I will not go into the details of the system, but so it is. There is a large tablet put up with a very short passage painted upon it from the Scriptures, and that is repeated to a small class of about a dozen, until they learn it and comprehend it; and the little words are pointed out; the large words are the first that are learnt; the little words as it were come of themselves; they are just dropped into the memory and mind, so that reading is learnt readily and happily, and it is never irksome. I say, "That the generality of schools are not working with proper effect may be inferred from the Table, No. 6, the Statistical Table." I have just taken here the particulars in many points, with regard to the last 100 of juvenile criminals received into our gaol at Preston, between the 1st of September 1851 and the 20th of May 1852. This gives us the appendages.

1559. Will you hand in that table?—Yes.—(*The Witness handed in Document marked* (C.)—This paper agrees very strongly with a paper which was put in by Mr. Kingsmill three or four years ago. He gave there 1,000 prisoners, and found that only 155 had never been at any school. I find here that 52 per cent. were unable to read at all; that 36 per cent. could read but could not understand, and that 12 could read and understand; 82 per cent. had been at some school. The first table I would refer to is headed "Previous schooling," and the next, "General knowledge."

See Appendix.

1560. *Chairman.*] The Committee wish particularly to direct your attention to the subject of remedial measures; have you anything to suggest to them upon this subject?—Yes; I suggest, thirdly, "That the singing and concert rooms where chiefly Jack Sheppard, &c., &c., are dramatized seem to require legislative interference." I have but a very poor acquaintance with Acts of Parliament, but I am much inclined to think that magistrates in such a town as ours have it in their power to put down such places, but that they are not inclined to act.

1561. I presume that the evil which you describe you consider to be a very great one?—Yes, it is a prominent cause, although not the sole cause, of the juvenile crime that comes under my notice. Fourthly, "The encouragement of sound popular literature. Healthy works of fiction to be produced as cheaply and as attractively as possible." Fifthly, "To provide and encourage harmless amusements and recreation, especially for the winter months." I suppose, about the year 1841 or 1842, that in Preston, as was the case in other large towns, where there was a popular exhibition containing works of art and natural curiosities, I have seen every evening for four or five months in succession the place crowded. I have seen a number that I should estimate at 4,000 in that room, the highest and the lowest, the rich and the poor, all enjoying themselves; and it has been said to me repeatedly whilst I have been in that room, "The public houses are ruining this place."

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1562. Mr. *C. Legh.*] Have you in Preston many of those low theatres to which you have alluded?—We have the singing room or concert room. That is the name that the proprietors give it, but it is in point of fact a low theatre.

1563. Is that in your judgment prejudicial?—Yes; most prejudicial. Within the last year six boys were committed on a charge of rape, who all told me that they had been habitual attendants at that concert room, where the passions which those boys had given way to were certainly encouraged. They were six boys under 17 years of age.

1564. *Chairman.*] I understand you to suggest with respect to places of that kind, that if they are already within the purview of the law, the law should be enforced against them, and if they are not, that there should be some legislative provision enacted against them?—Yes; another suggestion which I would make is this, that the Acts of Parliament which do exist, I believe, against permitting children to pawn or pledge, should be enforced. I know many cases in which children of six, seven, and eight years of age have been sent by their parents to pledge their own clothing, or their parents' clothing.

1565. Mr. *M. Milnes.*] Will you be good enough to state how you would prevent that?—There is an Act of Parliament I am inclined to think, already in existence, which makes it penal upon the pawnbrokers to receive in pledge anything from a child under a certain age, but I believe that that Act of Parliament is not enforced at the present time.

1566. *Chairman.*] Is that the General Pawnbrokers Act?—I am not aware.

1567. Mr. *M. Milnes.*] But at any rate the Act of Parliament is, as it were, a dead letter?—Practically so.

1568. *Chairman.*] There, again, if there is not already sufficient legislative provision upon that subject, you would think it expedient that some further legislative provision should be made?—Most decidedly so.

1569. Mr. *C. Legh.*] With regard to receiving houses, do those form any nuisance in Preston?—I am not aware, of my own knowledge, of the existence of any notorious receiving-house.

1570. For stolen goods?—For stolen goods.

1571. *Chairman.*] Have you any suggestion to make with regard to the imprisonment of juvenile offenders?—I would venture to recommend that it should be illegal to commit young persons under 18 or under 21 to prisons in which association is permitted; for I have come long ago to the complete conviction, that the young thief finishes his education in prison, where he is permitted to associate with others.

1572. There is a great difference in prisons in that respect, is there not?—Yes, there is a very great difference.

1573. Will you be good enough to inform the Committee what is the practice at the present moment in the prison at Preston?—The moment a person, whatever the age may be, is committed to prison, especially a juvenile, he is placed in separate confinement, so that it is impossible that he should be contaminated.

1574. Mr. *Tufnell.*] Is he kept in separate confinement all the time he is there?—He is not kept in solitude, but he is effectually separated from all intercourse with other prisoners.

1575. Then with whom does he associate?—He associates with the prison chaplain, the governor, the schoolmaster, and other officers connected with the prison.

1576. *Chairman.*] He sees his fellow prisoners, but he has no conversation; is that what you mean?—Yes, there is no conversation.

1577. Mr. *Fitzroy.*] Does he take exercise with the other prisoners?—He takes exercise in view of the other prisoners.

1578. Does he take his meals with the other prisoners?—He takes his meals in his cell.

1579. Does he work in his cell?—He works in his cell.

1580. Is he never in the day-room with the other prisoners?—With a very few exceptions; sometimes, owing to particular circumstances, he is, but even then he cannot converse with them; there is no intercourse.

1581. Then your system is, in fact, a silent associated system?—We have not the means of carrying out what I should wish, namely, the separate system, to a greater extent; therefore we are obliged to put up with an inferior system in part, namely, the silent system, where the prisoners work together in a large room, without communication with each other.

1582. Mr. *Miles.*] Is the silent system, according to your opinion, a satisfactory system?—No.

1583. Can you prevent talking going on?—We can prevent anything deserving the name of intercourse; we can prevent anything like injurious intercourse.

1584. Mr. *Monsell.*] But do you prevent that without any severity?—Without any severity.

1585. Because the great experience of all those who have written and studied upon the subject is, that it is utterly impossible to carry out the silent system?—I believe it is.

1586. But at all events, you prefer the separate system to the silent system?—Yes.

1587. You would think it a great benefit that that should be introduced instead of the other?—Yes; and I may mention to the Committee, that I have done all that I possibly could to induce our magistrates to get it done.

1588. Then I suppose the difficulty is the expense?—Yes; the difficulty is the expense.

1589. *Chairman.*] What length of experience have you had of the silent system at present?—About nine years.

1590. Mr. *Tufnell.*] In your opinion, does the separate system tend to reformation of the juvenile criminal?—I am satisfied of that. I am enabled to say to the Committee distinctly, that I have satisfactorily attended the juvenile prisoner after his discharge from prison to the amount of 70 per cent. It should be understood that most of the juvenile offenders are what may be called incidental criminals; they are not the trained thieves who we may afterwards have to contend with in London, Liverpool, and Manchester, but they are poor little children who have been neglected by their parents at home. They are poor little children who have got to these concert rooms, and who have committed a crime; but we are enabled, after two, three, or six months' discipline, as the case may be, to produce a better feeling in that child, and he goes back to his friends; and, perhaps, three or four months after his return home I make inquiries respecting him through the county police. I have a very good understanding with Captain Woodford, the chief constable, and he very kindly allows his superintendents to make inquiries on my behalf about those children, and I have from them official returns of the conduct of those discharged criminals. Now here is a return in my last report of 1851, and it will take a few minutes if I just read a few of these returns which apply to juveniles, at page 44: it is a report for the year 1851. I need not tell the Committee that most of these superintendents of police are gentlemen who have held commissions in the army, and who are intelligent men, and who of course would be very careful to furnish correct returns. "Age 16, conduct much improved, more attentive to his work, and keeps better company." "Age 15, In work, and attends church regularly." The next is 17 years of age, which takes it out of the category; but, however, I will read it, with the leave of the Committee: "Much improved, has given up his old associates, and attends Sunday-school and chapel regularly."

1591. I observe in several instances that the terms of imprisonment are very short?—Yes, the terms of imprisonment are very short, and that is rather against my own wish; but, however, a good deal depends upon the antecedents of the boy. It may be that he only requires a firm and decided check; it may be that he should have an opportunity of thinking over in his cell what he has been doing, and what he might have been led on to.

1592. Mr. *Fitzroy.*] Do all the prisoners sleep in separate cells, or are they in dormitories?—They all sleep in separate cells.

1593. Mr. *Tufnell.*] Is it your opinion, that the best reformatory system would be a separate system in gaol?—I do not mean to say that that would be better than such an establishment as I saw yesterday at Redhill, but a very great deal might be done for juvenile offenders by a proper system of prison discipline; it must not be a system of mere routine, but it must be a plan which depends for its virtual efficacy upon the mode in which it is administered; it depends upon coming in contact with governors, and chaplains, and kind-hearted schoolmasters.

1594. *Chairman.*] Supposing the present system to be retained, in whole or in part, as a means for the treatment of juvenile criminals, what suggestions should you make to the Committee for the improvement of the juveniles?—The separate system; that is a modified system; it is one which I am glad to see has been

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recognised as the proper system by the Committee which sat on Prison Discipline; that is, it is a system which necessitates complete separation, individual separation of the prisoners, but which permits them to see each other during two hours' exercise daily, and when they assemble in chapel, and when they receive instruction from the schoolmaster. Now all this breaks into the solitude, keeps the man or boy in good health, and keeps up his entire tone of spirits. I ought to mention that during the eight years that we have had the separate system in force, we have not had one single case of insanity.

1595. Mr. *Adderley.*] What is the amount of solitude in 24 hours, according to that system?—He is alone, of course, during the whole night; then taking the two hours-and-a-half exercise, an hour in the chapel, and an hour in the school, putting the sleeping hours out of the question, he would be alone eight or nine hours. It is modified, again, in this way very much: all the boys are taught something or other; occupation is a most essential element in the prisoners' treatment, and there again the trade instructor is frequently with the boy, pursuing his calling; all that tends to break the monotony of the boy's imprisonment, but he has abundant time left for thought, and thinking of what he has heard in chapel.

1596. Mr. *M. Milnes.*] Is a boy ever left in entire solitude for two or three hours?—Yes, certainly; in the evenings, both in the winter and in the summer, because he does not go to bed until nine o'clock; he is certainly alone from six till nine.

1597. Mr. *Tufnell.*] Is he allowed a light?—In the winter from six till nine.

1598. Mr. *Fitzroy.*] How often does the chaplain see each prisoner?—I see each prisoner as often as I possibly can. At Preston we have about 350 prisoners, and of those 350 there are 270 in separate confinement; those I see individually about once a week; I cannot see them more frequently except in special cases. Our system requires that the officers shall give me a list every day of those who wish to see me particularly.

1599. You say that they are taught trades?—Yes.

1600. I presume those who come in ignorant of any trade, and for a short time are not taught?—No; first of all, the boy is taught to knit his own stockings; this is a valuable acquirement for him.

1601. Is there any hard labour of any sort in these cells?—There is no hard labour for the boys; the men undergo a short period of hard labour, but it is not worth naming. The hard labour consists in pumping the requisite supply of water for the gaol, and the men are sent to do that work in relays of about eight or ten.

1602. And there is nothing of the sort for boys?—There is nothing of the kind for boys.

1603. The Marquis of *Blandford.*] At what age would you subject these very young children to this solitary confinement?—We have hitherto subjected the youngest; but although nominally our system is a system of separate confinement, yet it is modified by every individual case. There is no unbending routine that we must apply equally to every prisoner. If a boy of 16 or 17 years of age were put into separate confinement, my attention would be immediately directed to him particularly.

1604. Do you think that separate confinement, administered day after day to a very young child, is calculated to improve him; do you think he has sufficient power, at that very young age, to profit by the reflections which he might have during the time of that separate confinement?—I do not think that the separate confinement alone, as such, is calculated to produce a good effect upon the boy; but the adjuncts to that separate confinement, namely, my own visits, the attention of the schoolmaster, and things of that kind, applied in conjunction with separate confinement, are calculated to do much good; and in prison, if the individual is not in separate confinement, he must be in association with others, and half-an-hour's prison association would be his ruin.

1605. Mr. *Fitzroy.*] But even under the silent system there is association?—That can scarcely be called association; the prisoners see each other; but the pain of being at work and being silent is very irksome to them. The boys frequently beg to be removed from the work-room into the cells, because there they have nothing to do but to observe the ordinary rules. All that the boy there has to do is to make no noise; he has to finish his allotted task, and so forth; but in the work-room the exigencies of the system there require that the boy should sit painfully upright, and should never look to the left or right. That seems a very harsh system, but in the end it is a very merciful one. When the prisoners associated

ciated with each other, we had to call in the magistrates occasionally, if not frequently, in order that they might authorise flogging; but we have never had occasion, in one single instance, to apply the whip since the introduction of either the separate or the silent system.

1606. Mr. *Tufnell.*] In your system of teaching, do you consider that the prison itself is bad for juvenile delinquents, as hardening character, and stamping such a brand upon them as prevents them from seeking their livelihood in an honest way afterwards?—No; certainly not. Our system, I am quite sure, upon the juvenile delinquent, is reformatory in the highest degree; and I am glad to say that the prison has obtained a reputation for producing these reformatory effects in the neighbourhood to this extent, that no employer would for a moment hesitate to take a child into his mill or into his house, or into his employ, because he had been in gaol. The probability is, in all cases, that the boy has been very much benefitted.

1607. Mr. *Miles.*] Will you be good enough to explain what the difference of treatment is of children who are committed after trial?—There is no difference; I dare say the Committee will be startled, but there is no difference, beyond, probably, this fact, that after trial the boy, if he has received a long sentence, will be put to learn a trade, but before trial he is merely put into a cell, and there the lad's own kind of work is given to him; of course the rules are not enforced upon the untried child so strictly as upon the child under sentence.

1608. Then are these young children, who are committed for trial, and placed in separate confinement, taught no trades?—They are taught to knit their stockings; if we can find no other means of employment they are taught to cleanse cotton for the purposes of the manufacturer.

1609. And barring four hours, as stated by yourself, they spend, when under commitment for trial, 20 hours in solitude out of the 24?—Yes, 10 hours of that time being passed in sleep.

1610. Mr. *Monsell.*] Do not you find it universal, that any person placed in solitary confinement is extremely anxious to have some work given to him?—Yes.

1611. And without work they would not be able to stand all the inconveniences of the separate system?—Yes, and we hold out work as a privilege and a reward.

1612. So that even to those children not convicted, it is an act of mercy to give them employment?—Certainly, if we wanted to annoy a child, we would not let him have employment.

1613. Is the whole of your professional employment confined to the gaol at Preston?—The whole.

1614. The Marquis of *Blandford.*] Is your system similar to that which is adopted at Reading?—The Reading system is that of Pentonville; I think my friend Mr. Field has, perhaps, so far as he is concerned, made some difference lately; but at Reading there was a plan of forcing the Bible on the prisoners, which I quite differ from.

1615. Do they not there give them manual employment?—No, they do not do that; they are gradually altering that.

1616. Mr. *Fitzroy.*] What system of minor punishments have you at Preston?—In order to keep up the system, in the first instance, admonition; then the stoppage of a portion of a meal, and so on; the severest punishment which we have is that of confinement to a refractory cell, for three days, on bread and water.

1617. Mr. *Adderley.*] Is that refractory cell dark?—The cell is not so dark as the refractory cells generally are, but it is not so well lighted as the others are.

1618. Mr. *Fitzroy.*] You said that there has been a very great decrease latterly in the amount of juvenile offenders; can you assign any cause for that?—There are many causes; I believe that the principal cause is the improvement in prison discipline; under the old system, which permitted juveniles to associate, I cannot convey to the Committee any idea of the ill effect which was produced; they then encouraged each other in crime in every possible way. If you will allow me to read from the Report of 1837 I can give you one little fact, which will, I think, illustrate the evil of the old system; this is in the year 1837. I say, "Ignorance, idleness and parental neglect are no doubt greatly instrumental in creating such proneness to crime in young persons; but all these are little in comparison with the mischief done, and unavoidably done, under the present system of discipline, in the very place intended for their correction." (At the time this report was written

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we were under the associated plan.) "However bad a child may be previous to his entrance into gaol, he generally feels a certain degree of terror, associated with the idea of a prison, and consequently a hesitation in the commission of any crime which might lead to it. The prison once entered, however, the dread of it formerly entertained now appears to be groundless, and the little culprit finds himself surrounded by those who make him ashamed, not for what he has done but for the little that he has done. I have seen children who, upon the first day of their imprisonment, were crying with shame and apprehension, become in 'a little week' careless and indifferent, reckless and turbulent; and I have seen in too many instances such children committed again and again upon charges of felony, and eventually sentenced to transportation. Ambition evinces itself in various ways; and it is a melancholy truth, that many young delinquents soon acquire an ambition to excel in crime; an emulation to rival the exploits of the boastful villains with whom they are associated in gaol. Some years ago this was shown in a remarkable manner: two boys committed for their first offence were confined in the same yard with two daring and long practised thieves; the two latter were transported; the two former sentenced to a few weeks' imprisonment; they were soon re-committed, however, for fresh offences, having in the meantime assnmed the names of the two convicts who had been the object of their depraved admiration. I have more than once seen a young prisoner upon his re-commitment, after a short liberation, enter the chapel the morning after his arrival with a kind of swagger." (It is impossible to convey to the Committee the air and manner which I have seen those children evince.) "Glancing towards his old companions with an air which exhibited much less of shame than of triumph." I know from my own knowledge of these boys that it was, as it were, a kind of feather in their caps to be transported. I know, from my own knowledge, that the boys who were transported were thought very fine fellows indeed.

1619. When was the change introduced in your system?—The change was introduced in our system in the year 1844, partly in 1843. We were enabled to establish the silent system in 1843, but separation was effectually introduced in 1844.

1620. And is it from that date that you trace this annual considerable decrease in the number?—Yes, decidedly so. With regard to the present treatment of prisoners, one of the recommendations which I have put down is this, "Make it illegal to commit young persons to prisons in which association is permitted. Endeavour to reform rather than deter by prison treatment." (I believe that the attempt to deter young children is altogether a useless task.) "Juveniles when committed should be treated not so much by inflexible routine, as with regard to their individual dispositions and antecedents. Much may be effected by careful prison treatment." In the four years ending with 1844, 50 criminals were transported from the Preston Sessions; in the four years ending with 1851, eight were transported.

1621. Do you consider it possible to introduce a purely reformatory system into prisons?—I think that it would be possible; but I also think this, that we shall soon be overwhelmed with numbers which we could not manage, and therefore I should always prefer some establishment upon the plan that Mr. Sheriff Watson has introduced at Aberdeen, or the plan at Red-hill, in Warwickshire. I have no doubt of this. I can answer the question thus far, that of the children who do come into gaol, only let us have sufficient time, and if the child is susceptible of reformation I think we can reform him.

1622. Then you consider that it would not be prudent to introduce any system of prison discipline with a view to deterring, that would be more severe than the system which you now carry out at Preston?—I do not think so; those poor children are sadly neglected, at least most of them are; but they require a touch of humanity, if I may so speak; they require humanising rather than deterring from crime. I do not suppose they have ever heard a dozen kind words spoken to them at their homes, and the natural capabilities of their nature have to be worked out and developed; and we cannot do that by merely enforcing a system which is calculated to deter; it must be that the child's moral and religious feelings must be cultivated, and I think we cannot cultivate those feelings while we are going on the plan which is sufficient only to deter.

1623. Would you propose at once to commit children to reformatory institutions, such as that which you visited yesterday, in lieu of committing them to prison at all?—No; I would rather they would go to a prison for three or four

or five or six months, and then afterwards go to a place like Red-hill. I know that a child is in many instances ignorant of the nature of crime. I know that in many instances a child does not know that he has committed an act which is in itself criminal; he knows that he has done something which will get him into a scrape if the policeman finds him, but he certainly does not know that he has committed a wrongful act; and therefore we have in prison to make him know that he has committed an offence, and we have to fix in his mind that criminal act that he has been guilty of, and which must be explained to him as a criminal act. He must be made to feel the punishment for such act, and then he must be made to see that his welfare, morally and physically, is generally desired by those who are above him. In that respect I consider my work half done when I have succeeded in persuading either man or boy that his happiness and well-being are greatly desired by those who are his superiors.

1624. Have you turned your attention to the time that it would be requisite to leave a boy in a reformatory institution, such as that at Red-hill?—No; I have not. I would say that that must depend entirely upon the boy's individual disposition.

1625. Would you propose that on first conviction a boy should be sentenced to so many months' imprisonment, and then to detention for so long a period, in this reformatory institution?—No; in the case of the juvenile criminals who come under my observation, the imprisonment is quite sufficient; and then the boy may be returned to his home. When you speak of a boy who comes in for a third or fourth imprisonment, and who shows himself to be incorrigible, then let him have six or twelve months' imprisonment in a gaol like ours, and then go to Red-hill.

1626. If I understand you, your proposition is decidedly in favour of keeping up your present system previously to sending him to any reformatory establishment?—Yes.

1627. *Chairman.*] You are of opinion that there should be something of the penal entering into the treatment of any offender?—Yes.

1628. And that with regard to the first offence, the penal may be of itself sufficient; and with regard to the other, that there should be a mixture of the penal and reformatory?—Yes, even with regard to the first offence, the reformatory should obtain a prominent place; the imprisonment furnishes quite sufficient of the penal.

1629. Mr. *C. Legh.*] I understand you to make a decided difference between what you call a first conviction and a repeated conviction?—Yes.

1630. Do you consider that the first conviction of necessity shows the first crime?—No, not necessarily; but in most of the cases that I have had to deal with, it is the first serious crime that has been committed, I think.

1631. I presume you make a difference, considering what the boy's mind may be?—Yes, it is the first check that the boys have; they have been going on in an improper way, in the full confidence of their impunity, but their first conviction being their first check may be sufficient.

1632. Mr. *Fitzroy.*] Then what time have you contemplated as necessary to produce reformation within the walls of a prison?—If I had my own way I should prefer that a boy on his first conviction should never be without imprisonment for less than six months.

1633. Mr. *Tufnell.*] A witness who has paid great attention to this subject has stated, in answer to Question 1293, "I believe that the ingenuity of man could not devise a worse system than that of imprisoning a child for short periods in separate confinement. A child is more dependent upon outward impressions for its very means of healthy existence, than an adult, a great deal more; he lives upon outward impressions, and deprive him of them, and so put a child who has got no antecedents thus in a position in which he has no external sources of improvement, and it is not only a punishment to the child, but it must operate most injuriously upon his physical and moral character." I wish to know whether you concur in that opinion, and if not, what are your reasons for differing?—My experience does not enable me to affirm this proposition at all; I should wish the Committee to bear in mind that it is a modified system of separation. I dare not apply the system of Reading or Winchester. I should be as unwilling as the gentleman who gave this evidence to apply that; but I have found, from eight years' experience of this system, that modified as our system of separation is, it may be applied not only with safety, but with benefit to a child. I should like the Committee to bear in mind that while the great rule is separation, that rule is

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is modified by the chaplain's particular attention to these cases as well as by the schoolmaster's attention to these cases.

1634. But there are eight or nine hours of entire separation?—No doubt of it; the child goes to bed at nine o'clock and he gets up at six.

1635. But is it not your opinion that a child is influenced by outward impressions?—No doubt of it at all.

1636. During the time that he is kept separate there is nothing but reflection that would operate upon his mind then?—That is very true; but I have found no ill effects whatever resulting from the plan which we have adopted at Preston; and if a boy is to come into trouble at all, what would you do with him? The work-room is more painful to the child when he goes there; there he is more sure to get into trouble than when he is separate in his cell.

1637. You say, "If a boy is to come into trouble at all"?—For a very young child who does not know the difference between right and wrong, and who has committed a petty theft, I would rather he went to a correctional school.

1638. *Chairman.*] What age are you contemplating in that answer?—I will say here that I would not, if I had the power, admit children into prison under 10 years of age. I have had many cases that have turned out exceedingly well of children of 10 and 11.

1639. Mr. *Monsell.*] Do I understand you to say that the modification of the Pentonville system, which you contemplate, is not any amalgamation of the separate and silent system, but a more constant visiting of the chaplain and schoolmaster?—The essential modification is permitting the prisoners to see each other during their exercises, permitting them to see each other during their attendance at chapel, and also during the school hours.

1640. Do you consider that portion of the modification to be important?—Yes, I consider it most important.

1641. You would prefer, in point of fact, having the children able to see one another at the time you describe, to having a separate system carried out as it is at Pentonville, with this difference, that the chaplain and the schoolmaster should visit the children much oftener than they are now in the habit of doing at Winchester, for instance?—Yes.

1642. Why do you consider that modification to be important?—In this way I consider it important; it keeps up both the bodily and mental health. Now at Pentonville and at Reading prisoners of whatever age were in the habit of taking exercise in a small yard alone; they were allowed there to creep backwards and forwards in utter weariness and low spirits, and after the hour of exercise had terminated they would go back into their cells. Now with us at Preston the hours of exercise are passed in this way: the prisoners are taken out by 20 or 30 at a time; they walk in a large area, somewhat with an interval between one prisoner and another of about seven or eight yards. When the weather is cold or cool, at an intimation from the officer on duty, they start upon a run; they run round a circle as long as that officer may think necessary; all this has the best effect, not only upon the body, but also upon the mind; by those means the blood is made to circulate through the system rapidly, and the result is beneficial. We never had a child in the hospital.

1643. Do the children at your gaol wear masks?—No; that would be useless where they are permitted to see each other, and I believe they are going to discontinue the system of masks at Pentonville.

1644. Mr. *Fitzroy.*] Are you aware of the system which is pursued in the prisons in the county of Middlesex?—No, except from the prison inspector's report.

1645. From reading that report, do you understand the system to be very much the same as that which you rely upon at Preston?—No, I think it is more an approximation to the Pentonville system.

1646. Is the silent associating system the same as you have at Preston?—No, we have the silent associating system to a certain degree, but that is an exceptional part of our system which we are hastening to get off in favour of an actual separation by the cellular system.

1647. Mr. *Monsell.*] Do you know anything of the system of having pews for the delinquents?—I know that I would not perform the chaplain's duty in a prison which was so fitted up. I would resign my post sooner than do it.

1648. Why would you do that?—Because I should be utterly dissatisfied with the

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the effects which I know, from my own observation, are produced; that system gives a penal character to a place which ought to be associated with all the best feelings that a prisoner has remaining in him.

1649. But the clergyman has the power to see each prisoner, has he not?—Yes.

1650. And the prisoners have the power of seeing the clergyman?—Yes.

1651. Do you think that the objection which you have taken now is generally held by clergymen who are chaplains of gaols?—I believe that the chaplains of gaols are coming round to my opinion. Mr. Reynolds, the chaplain at Wakefield, who has charge of 200 Government prisoners (the Committee will know what I mean by that; I mean prisoners sent from other parts of the country to undergo the period of their probationary confinement), began with a chapel supplied in the way you describe; but the pews have all been removed, and he is very well satisfied with the result.

1652. But that entirely does away with the separation which is kept up of that description of prisoners?—It does not do away with the separation as far as we have separation. If the prisoners see each other at exercise, and at times of instruction from the schoolmaster, there can be no objection why they should not see each other at chapel.

1653. I understand you to state, that the number of juvenile prisoners that have been committed to Preston House of Correction is upon the decrease?—Generally speaking.

1654. I hold in my hand a return of juvenile offenders, in which I see the number quoted for 1849 at Preston was 56?—Juvenile prisoners.

1655. In 1850 they were 45, and yet from the previous part of your examination I understand that between last September and April this year you have had about 100; how do you reconcile that with the decrease of juvenile delinquency?—Perhaps I may be allowed to explain it, by asking whether you are not referring to the committals at sessions?

1656. No, you will find that the return is according to Sir John Pakington's Act; look over the return and be good enough to answer that question?—I confess that I do not understand this return; I find here, the number summarily convicted and imprisoned much less than you named, 69; the criminals during the time I have now spoken of, are much more numerous than they appear to have been during the other period; it is a mere flowing back of the wave; it is the mere receding tide, and a large number of those are Irish.

1657. Have you found among those committals which you spoke of, from September to April, many of those who had been previously convicted?—Taking the sessions and summary committals, who never were in our prison before, 78 out of 100; second committals, 7; third committals, 7; fourth committals and upwards, 8.

1658. Then, as I understand you, you would recommend the reformatory system only to be introduced as to the second conviction?—Oh, yes, I would have the reformatory influence at work from the moment that the boy was in gaol.

1659. But the reformatory influence that you would recommend takes place in the gaol?—Yes.

1660. And then, as I understand you, upon the second conviction you would place that child in gaol for a certain period, and then send him afterwards to the reformatory school?—I do not know that I would do that necessarily on the second conviction, and not necessarily on the third conviction; there are so many things that require to be considered.

1661. Mr. *Adderley.*] You would leave that matter to the magistrates, would you not?—Yes; if the magistrates would properly investigate it.

1662. *Chairman.*] You would leave that power by law to the magistrates?—I would give them that power by law.

1663. Mr. *Miles.*] Are there not always at quarter sessions ample means of discovering what the child's character may be, who may be so convicted a second time?—Oh, certainly. I was thinking of a case of summary conviction under the Juvenile Act, for instance.

1664. Now I will come to what you would do under summary convictions of magistrates; supposing a child should be brought up a second or third time, would you leave it in the breast of the magistrates to order him to be imprisoned a certain time in the house of correction, and then to send him to a reformatory school?—That will all depend upon the child's antecedents and character.

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1665. But would you leave that investigation to the magistrates, or should it be conducted by the chaplain of the gaol, or by whom?—By the magistrates, in order that they may sentence properly.

1666. *Chairman.*] Do you think that that might safely be left to the discretion of the magistrates?—Yes.

1667. That they should inform themselves, as they best could, and then, having so informed themselves, that they should pass the proper sentence?—Yes, I should say so; I should like the Committee to bear in mind, that what I have said applies to the criminals of North Lancashire.

1668. Have you any reasons to believe that different conclusions would apply to different localities; have you any reason to suppose that the case of North Lancashire is an exceptional case?—Yes, in this respect; in North Lancashire we have very few trained juvenile criminals; we have very few who commit crimes as a means of support; they come to us now from Liverpool, they come by the railway, pickpockets and so forth; they are caught and committed, and transportation is the inevitable result. But our juvenile offenders are, generally speaking, incidental criminals; it may be that the mill is stopped for a week; the little idler then gets amongst bad associates, who tempt him to go and take something from a stall in the market, or from a shop, or something of that sort.

1669. In your large towns, Preston, Blackburn, and Bolton, there are none of that class, of whom there are so many in London, young persons whose trade is thieving?—No, very few indeed; Bolton is out of our district, but in Preston, Blackburn, Chorley, and those towns, there are few, if any, regularly trained thieves amongst the young; if there are such they make their way to Liverpool or Manchester, where they have a far better field for plying their work. I speak from the evidence before me in the gaol of Preston; there are few or none committed to gaol who are professed thieves, and who have been resident in those towns; we have trained offenders brought to our stations, but they have arrived, perhaps, on the day of their committal from Manchester, and they have come by the train on purpose to pick pockets.

1670. Mr. *C. Legh.*] Then you form your judgment, in regard to what you call the incidental juvenile offenders, exclusively from seeing them in your gaol?—Yes, and from the general knowledge which attention to the juveniles in the prison gives to me.

1671. Now supposing a boy to be brought into your gaol, just having arrived from Manchester, would you consider him as an incidental offender?—No; we have the means of at once inquiring into his past character; there are a variety of modes by which you can judge of him. The trained thief betrays himself immediately to the eye of the chaplain or governor, and a very few questions enable us to learn that he has come from Manchester. A description of his person is then immediately taken, and that description is transmitted to the authorities at Manchester. We tell them that we have such and such a person in our gaol in custody, and we require to know of them whether anything is known of him in the Manchester prisons; and we receive information, probably, to the effect, that he is known there, and have a category of his previous delinquencies. Those are produced, of course, before the chairman in the event of conviction; and should it turn out that he has been repeatedly in prison for picking pockets, transportation invariably follows; there is nothing for the trained pickpocket but transportation.

1672. Did I understand you to state, in answer to the Right Honourable Chairman, that, with the exception of Manchester and Liverpool, there are no children of that description which the Chairman has named?—I believe we have no class of regularly trained juvenile offenders; we have a class of children of Irish parents, and of course the lowest grade, who wander about, generally begging; but if there is something handy they will pilfer it.

1673. Does that opinion of yours coincide with the reports of the police in Lancashire?—Yes. You will understand I am alluding to North Lancashire; Liverpool, Manchester, and Bolton maintain a large staff of trained thieves. I have come to the conclusion, that any boy who shows an inclination to living by thieving, does not stay in a small town like Preston, or Lancaster, but he goes to Liverpool or Manchester; but I must at the same time say, that there are very few, if one may use the Yankee phrase, raised in North Lancashire; they are born in Manchester and Liverpool.

1674. Mr. *Tufnell.*] You state that you would not advise that any child under

11 years of age should be sent to prison at all; does that remark apply solely to Preston, or do you mean it to apply generally?—Perhaps I may take the opportunity of modifying what I said; I would send him to prison unless you can have a correctional establishment better calculated for boys; if you have not, there is nothing to be done but sending them to prison; but do not send him to prison, where he will associate with other prisoners; anything rather than that.

1675. I understand you to say that you would not, under any circumstances, think it advisable to send a child under 10 years of age to prison, if it can be avoided?—I would not send him to prison if he were under 10 years of age, if there were a correctional establishment adapted to training the younger criminals at it; but where you have no other establishment than the prison, I think he must go to prison, unless that prison is one which is conducted upon the associated plan, and then he had better be flogged behind the police office, and set at liberty.

1676. I understand you to say that the prison discipline, under whatever system, would have an injurious tendency upon a child under 10 years of age?—If I said that, it has been rather in deference to the opinions which are so universally expressed; it does not agree with my own experience; we have had boys of seven or eight years of age in our prison, and it will never be found that any prejudicial effect had taken place upon them; if you have a correctional establishment, carefully adapted to the training of the young criminal under 10 years, I would rather send him there than bring him into our prison; but I repeat that I have seen no harm taken, even with regard to the youngest child.

1677. *Chairman.*] You have given the Committee a variety of suggestions with reference to the treatment of juvenile offenders in prison; have you anything to add upon that subject?—In connexion with that, I would say that in all suitble cases, make the expense of the criminal fall upon the neglectful parent. When a beggar is taken up, and sentenced to imprisonment under the Vagrant Act, if there be any money found upon him, it is appropriated to his maintenance in prison, and I think very justly; and I cannot but think that the law which punishes a father for neglect of family, as it is technically termed, by imprisonment, should also authorize some kind of punishment, either by fine or imprisonment, in the case of a parent who utterly neglected his child.

1678. Do you suggest that a power should be given to the Court to make an order of that kind upon the father?—Yes.

1679. And upon inquiry as to what had been the conduct of the parent towards the child?—Yes.

1680. Inquiry would be a necessary preliminary?—Yes; with regard to that, in our part of the country, where employment is so easily obtained, that, in a very large number of instances the families of the juvenile criminals are receiving good earnings, if you will allow me I will read a short Table which I have drawn up with regard to that subject, which is headed "Weekly earnings of the offenders and of their respective families at the time of apprehension." Offenders themselves earning 5 *s.* and under, sessions and summarily convicted, together 23; above 5 *s.* and under 9 *s.*, 20; earning 9 *s.*, 10 *s.*, and 11 *s.*, 12; those are the personal earnings of the juveniles. Now I speak of the earnings of the family, including those of the boys themselves; earning 10 *s.* and under, 6; earning from 10 *s.* to 20 *s.*, 11; earning from 21 *s.* to 30 *s.*, 8; earning from 31 *s.* to 40 *s.*, 5; earning from 41 *s.* to 50 *s.*, 4; earning 51 *s.* to 60 *s.* and upwards, 8; of non-employed and uncertain there are 45 of these boys; of the others there were 48 of families supposed not to be in want, and they consisted chiefly of the Irish parents, so that you have here 25 per cent. with regard to the 100 boys whose families were earning upwards of 21 *s.* per week.

1681. Mr. *Monsell.*] I presume that many of those were not among the Irish?—I should say none of these earning wages of that kind. I should say that some of them are doing themselves very great credit by their industry.

1682. *Chairman.*] Have you now completed the suggestions which you have to lay before the Committee with regard to the improvement in the treatment of juvenile offenders?—I have a short memorandum here connected with the Table of Families.

1683. Mr. *Miles.*] Does that table come from Preston?—Yes, there are a series of tables, and, with the permission of the Committee, I will put in the whole.

1684. They all apply to Preston, do they not?—They belong to our gaol, and are drawn from North Lancashire; not from our town altogether, but from the

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northern part of Lancashire. Our gaol at present receives the entire criminality of North Lancashire, except the females, who are sent to Lancaster.

1685. *Chairman.*] Have you any further suggestions to offer to the Committee of a remedial character; if so, have the goodness to enumerate them?—I have a memorandum before me in continuation of the paper with regard to Correctional and Reformatory Schools. I suggest this: "Whatever plans may be decided upon, the expense of instruction and correction should fall upon the parents, wherever practicable, to recover the expense; and in cases where the parent cannot pay because he will not work (and I know several cases of that kind), he should be committed to prison as for neglect of family." The second point is this: "There may be peculiar difficulties in dealing with the worst class of young offenders, the children of 'tramps' and 'travellers;' but it would be for the interest of society to take such children entirely away from their incorrigibly profligate parents, and give them a thorough correctional, moral, and industrial training, with a view to their ultimate removal to the colonies, though a few might be found fit for the Army and Navy." I am speaking now of those travellers and tramps who perambulate from the north of Scotland to the south of England, and who exist in many hundreds. I should beg permission to put before the Committee an original paper by a convict who is under my care, a man whose history is certainly of a very extraordinary character. He is upwards of 30 years of age. You will see from the style of his composition, as well as from his handwriting, that he must have availed himself of every possible opportunity for self-education, having as a boy started tolerably well in life, but whose career has been that of a housebreaker. He has gone through every phase of criminal action almost.

1686. Does this bear upon the question of juvenile offenders?—Yes, most decidedly; it is upon the connexion between education and crime. This is the man who appears in the appendix to my report under the initials "E. R." You have the original, I think, in your possession of which I have the duplicate. I did not go to the man and ask him to write that; I was rather afraid that he might gather something from any conversation between us of my own views, and therefore I sent the schoolmaster to him to say that I should be glad if he would put down upon paper his ideas upon the connexion between the want of education and the causes of criminality. I have never seen the man since, but he is still with us. I do not know whether it is within the province of the Committee to entertain anything of this kind, but I hold in my hand works which form the literary food of these perishing classes. I obtained them directly from the bookseller, who very candidly and honestly told me all about it, and he told me this little fact, which is, to a certain degree, of importance: he said that in his opinion, in their own locality at Preston, the worst or useless works are on the decrease; that Lloyd, the principal publisher, had at one time some broad sheets of "Penny Sunday Times," which are all dead, and so forth; and he says that the better kind of popular literature, except those published by Castles, are very much on the increase. I think I was told that Captain Williams had laid a few of these works before the Committee. I do not know whether the Committee are aware of the character of the publication I am going to allude to, but I never knew anything of it till I began to make inquiry; it is called "The Mysteries of the Court of London." These pamphlets are read by young men; of course the boys begin with reading "Claude Duval" and "Dick Turpin" previously, but when they are old enough, if you may prostitute the word and say "enjoy" such a thing, those works are what they look for. If the Committee have not seen any of them, here they are; but the demoralising effects of those "Mysteries of the Court of London, by Reynolds," must be beyond anything that can be conceived; demoralising not only as regards the excitement of the bad passions, but the mischief which he intends politically; all the profligates represented in those works are persons of rank, mentioned by name, but many of them have absurd stories attached to their names.

1687. Have you completed your suggestions of remedies with regard to the treatment of juvenile offenders?—I have.

1688. Mr. *Monsell.*] I think you were examined before the Committee of The House of Lords in the year 1847, were you not?—I was.

1689. You then described the state of the juvenile offenders at Preston, did you not?—I did.

1690. Their

1690. Their extreme ignorance, and great numbers of them not knowing a word of prayer, not being able to repeat the Lord's Prayer, and so on?—Yes.

1691. And at that time you stated that a very small number of the juvenile offenders in the gaol of Preston were Irish?—Yes.

1692. Since that time, you are aware of the famine, and so on, which has prevailed to such an extent in Ireland?—Yes, I am.

1693. Do you suppose that a large number of the Irish emigrants, of whom you have been speaking, are people who have been driven over to this country by the pressure of extreme want?—Oh, no doubt. I put that upon record in one of my reports, but it is quite sufficient for the purpose at present to say that it was so.

1694. Do you recollect the per-centage of juvenile offenders who had been committed for begging between the 1st September 1851 and the 20th May 1852?—Twenty-four.

1695. Do you suppose that a considerable number of the Irish emigrants that you have spoken of, as being amongst those who have been committed to the Preston Gaol, have been committed for begging?—No doubt 20 were Irish.

1696. I suppose you agree with the opinion expressed by Mr. Hooker, that before you can expect people to live well you must give them the means of living?—Yes.

1697. Therefore, probably, the very great destitution may account for the crime you speak of?—No doubt. The emigration of the Irish began in 1847, and rapidly increased in 1847, so that that affected the number very decidedly. They were in a state of great wretchedness; but I know several exceptional cases in which Irish families have turned out most industrious, and in every way praiseworthy.

1698. Mr. *Adderley*.] Do you propose sending cases of juvenile destitution to prison?—I am not prepared at this moment to answer the question; I am afraid there is nothing else for it at this moment; situated as we are, we have no other means of dealing with them. If the child is not sent to prison and is only sent for about seven or 14 days, it must be allowed to go on in this way of life, and that way of life continually; it will eventually lead to more serious mischief. I stayed about half an hour in the bookseller's shop where these things are principally sold at Preston, and I found that during that time the shop was, what may be termed, full of purchasers of these works. There were two or three of the hawkers being supplied with these works, and I was struck by one man re-opening his bundle, and saying, "I must not forget those Mysteries." I said to him, "Is there a great demand for those?" and he replied that there was.

1699. Mr. *Fitzroy*.] With reference to the amount to be contributed by the parents towards the maintenance of their children in these reformatory institutions, do you propose that the parents should continue to contribute during the whole time of the children's detention in the institution?—I would propose that the parents should continue to contribute as long as any expense is incurred.

1700. Supposing, then, as has been suggested, that they were detained in those institutions from the age of 11 until they were 21, would you throw upon the parent the burthen of maintaining the child during the whole of that period?—That is rather supposing an extreme case. If such a case occurred, I should not propose that the parent should contribute for all that length of time; I should think in that case that contributing for three years would be sufficient.

1701. Has it ever occurred to you to consider whether it would be desirable to introduce any legislative enactment to the effect that after either the second or third conviction of the child, that the fact of his repeated conviction should abrogate the right of the parent over that child altogether?—It has not occurred to my mind to think deeply about it; but I can easily conceive that in the majority of cases (such as would justify that view), after the second or third conviction, the child should be taken out of the hands of the parent, and taken charge of by the State, and turned to any work for which that child is capable.

Mr. *John Ellis*, called in; and Examined.

1702. Mr. *Tufnell*.] YOU are a shoemaker, I believe?—Yes, I am.

1703. Where do you reside?—117, Albany-street, is my head quarters; but where my lads work is 14, Stebbington-street, Oakley-square.

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1704. You have had the conduct of the industrial class of the Brook-street School?—Yes.

1705. Will you be good enough to state how that school originated, and on what principle it is conducted?—I am a Ragged School teacher, and have been these eight years. I came in contact with these lads that I now employ in the school, and I at once applied myself to understand the cause of crime that these boys got into prison for so many times. I had some who had been in prison as many as fourteen times; some five times; some six times; some seven times. I also applied myself to understand the effect that the prison discipline had upon these lads; and in the year 1848 we formed a class, and I applied the remedy that I thought would produce the effects that I have seen so happily realized.

1706. The class at the Brook-street School?—Yes, a gentleman of the name of Platt furnished me with money to commence with; the committee gave the school-room; I gave my time to the work at first voluntarily. I commenced with three lads, and taught them shoemaking. I at once commenced with a system of freedom and liberty to the lads, for I found out that all the confinement and whipping, and chaining, and everything of that sort, which these lads had been subjected to, had no effect. I have a lad now, working at my place in Stebbington-street, who had been confined nine days in the black hole in the Pentonville prison.

1707. These three lads that you commenced with, had been convicted of crime, and more than once?—Yes, one of them had several times, and been whipped; the other two were not so criminal; they were beggars; they were very destitute lads. Our committee was not favourable to the view of taking the criminal class. It was my act entirely in taking the criminal class. I spoke to Mr. Platt about this lad, who was in Trafalgar-square at the time of the Chartist riots. It was on a Tuesday night in 1848; he came to the school, and I began talking with him, and we then got into conversation about his former life, and I then found that he was desirous of leaving off his former habits; he had been a very bad character, and he said that if he could find a friend that would assist him, he should like to go to work; that he was willing to go to work, and that he was willing to leave off his former habits; with this lad, and with two others who were not so criminal, we commenced our class in the month of April 1848, and our committee was so satisfied with the result of that experiment, that on the 15th May they added two more boys, and on the 4th December the number amounted to 15; I undertook the management of these boys.

1708. Will you be good enough to give the Committee the ages of those boys?—I have got in my journal at home the ages of all of them; their ages range from 12 to 20.

1709. What were the ages of the three boys?—One boy was 12, one boy was 17, and the other boy was 19; those are the ages of the three. The 19 was a lame destitute boy; he was very destitute indeed.

1710. What was the age of the one whom you considered to have been the most criminal?—About 17; his mother kept a very bad house, and drove him out to thieve.

1711. Will you proceed to state the way in which these boys were treated; in the school first, and afterwards in your house?—I thought that one cause of their crime was want of employment; they had never been used to work, and no one had ever taken them by the hand to train them into the way of work. I employed them at shoemaking, and I made that employment of shoemaking as amusing to them as I possibly could, and I found that the boys were very fond of making things themselves, such as shoes. I used to go and sit with them for two or three hours a day, and I used to tell them that they might, by governing their tongue, and governing their tempers, and governing their appetites, and governing themselves generally, be much more happy if they would put themselves in harmony with the laws of their own physical nature; and I showed them how wrong it was to break the social laws that bind society together, and also the laws of God, and so forth. I considered that my conversation with them for two or three hours had had a great effect; and I provided them with wholesome food, and I gave them clothes to wear, and I surrounded them with as many comforts as I possibly could. If you will allow me, I will read a paragraph from a little work called "The Philosophy of Ragged Schools," which was written by a lady of the name of Cornwallis, and it is from the journal which I gave her. "Five years' experience in Ragged and Industrial Schools has most fully convinced me that the human family is one, and that the difference of character which exists is the

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the effect of circumstances. At least 2,000 children have passed through our Ragged Schools since its commencement. I have watched and questioned many of them, and have invariably found that the cause of their distress and misery may be traced to their parents, more especially the mothers. We have taken some of the most destitute out of this Ragged School, and have had as great a diversity of character, temper, and organization as it is possible to conceive. We have had those lawless creatures who have been chained, whipped, confined in the black hole, and subjected to every species of punishment without effect. Some of them have told me that they never intended to stop when they came to the school. I have made myself thoroughly acquainted with all their secrets, and there is, I believe, the greatest confidence between us. They are all convinced that I would make any sacrifice to make them happy, and all they study is to know my will, and that is their law. There are only one or two gentlemen who can stoop low enough to reach these poor ignorant wretches. I am a great advo cate for the cultivation of the intellect; but let our English legislators, school-masters, and Christian ministers combine with their laws and theories the exhibition of a Christian character, and live and act as the author of Christianity did. One great difficulty is to get agents to carry out the work. We cannot hire nor buy faith. If you get the affections the work is nearly done, and you may mould them as you please. Supply them with the necessaries of life, a bed to lie on, water to cleanse themselves, a fire, and a clean place to sit down in, good conversation and interesting books, and then, as surely as spring succeeds winter, and harvest follows seed time, so surely will you see the moral wilderness become a fruitful garden. We have seen it, and we do see it."

1712. I understand your answers have been hitherto with respect to the training in the school itself, have they not?—Yes, this was written more than two years ago.

1713. But your answers before the quotation referred to the school itself?—Yes.

1714. Will you explain to the Committee what was the effect which you gradually saw attained upon the minds of these three boys, in consequence of the attention which you paid them?—I at once recognized them as my children; they looked upon me as their father; and the latent power of their souls being brought into existence, there was every feeling that I could expect from a child towards me. As I have come in, I have seen that all that they did was to strive to know my will, and that will was their law.

1715. Had they at first any moral sense?—No; when I first took them they did not know right from wrong. When Miss Carpenter came to speak to one of my lads, she said to him, "Don't you think it is wrong to steal?" he said, he thought it was right. She then asked him, "But were you not afraid of God?" he said, he did not believe there was a God. She said to him before she left him, "Would you steal now if you were to leave Mr. Ellis?" He said, no, he could not. I endeavoured to convince those lads, that honesty was the best policy, in my conversation with them whilst I was at work, and that they were responsible beings; that they had immortal souls, and that God being the ruler of the universe would know all that they had done, and all that they had said; so that those boys now, every one of them, move about, although in my absence, thinking that there is an eye over them.

1716. Will you explain to the Committee up to what point of training you have carried these boys in the school, and how gradually introduced them into your house?—My principal object always was with those lads to put in their power the means of getting a living, by teaching them a business; with regard to their morals, I thought I could not do better than set before them a good example, and I ate with them, and drank with them, and slept with them, and I associated myself with them in every way; and as far as religion goes (I don't profess to be a religious teacher), I showed them the law of the Gospel as well as I could. I am not much of a scholar myself, and therefore I could not cultivate their intellects much.

1717. Mr. *Adderley.*] Allow me to ask you, are you a married man?—I am not now; I have had two wives, but they are both dead.

1718. Have you no family of your own?—I have one child (and this is a very important feature) of 11 years of age, which has been brought up with these lads; this child is a very singular character; he is a very powerful agent now; he will never allow anything wrong; he has been without a mother ever since he was two years of age, and he sees that nothing wrong is ever done. I contend that the

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the great cause of juvenile crime is the effects of a bad mother's training. Without a mother's training, which seems to be more of a religious feeling than anything else, there is no hope for that child. I hardly know how to explain myself, but there is a want of that feeling towards their fellow-creatures which is the result, I think, of children going into crime so far. These poor children are not caressed by their mothers; they are not taken notice of by their mothers; their mothers know nothing about them. Perhaps poverty is one cause and vice is another. It is negligence in the extreme; because I hold, that every mother ought to teach her infant babe the name of Jesus; that is not done at the present time, nor is any regard paid at all to the moral or religious culture of the children.

1719. You consider that some person should, like yourself, be placed in the position of a parent, to give them good moral principles?—That is what we want; perhaps I ought to mention at once, that the worst lads that I have had to deal with have been the best scholars. The first lad that I took, who was so vicious, was an excellent scholar, but he was totally at a loss for feeling; he had no feeling; he was dead; he was asleep.

1720. Mr. *Milnes.*] Have you had any boys that you have been obliged to give up, whom you positively could not reclaim?—I have never seen such a case, and I have confidence that if I had any boy who had his right senses about him, I could reform him. For my part, I would sooner take a courageous thief, I would sooner take a daring highway robber, than what we call these poor beggar boys about the streets; for I find generally that they are lazy vagabonds, and that they have a wonderful knack of finding things before they are lost; they have not the courage to steal boldly; but give me mind, and I will be bound to convince the mind. If I could not convert the heart, I could alter the mind. My own particular training in my younger days gave me an advantage that these boys do not possess. If they had a consciousness of their responsibility, and that the Omnipotent eye was upon them, that would be sufficient; but they had at first no more idea of a God than a heathen.

1721. Mr. *Tufnell.*] Have you received warnings from your neighbours, or from the police, of the hopelessness to attempt the reformation of these boys?—I was persuaded by the city missionary; I was persuaded by my friends; I was persuaded by the policemen, and by many others resident near me, not to have anything to do with them; of my inability to reform them. I had occasion to go to the station-house once, for the purpose of trying to establish a friendly feeling between these lads and the police, because they had so much trouble with them. Whenever these lads and the police met, there was always a sort of bad feeling between them, and the boys knew that the police had not always spoken the truth about them. The inspector advised me seriously and candidly to abandon the hope of reforming them. He said that the police had done all they could for them, that they ought every one of them to be transported, and that it would be far better for me to mind my own business and to leave them alone, as they would be sure to get transported. I was along with the inspector two or three hours upon the question. I went to the station-house 18 months after this, with the names of all those lads; the police recognised their names, and I wanted an account of the lads; they said they would give me one officially. I have never troubled them since, and the boys have never troubled them. A policeman told me that he had been on duty at Saffron-hill, at St. Giles's, and at Westminster, and that he never knew a more determined set of thieves than they were that we then had.

1722. Do you believe that, if these boys were removed from your superintendence and again exposed to the temptation of mixing in the world, that they would relapse into crime?—No; but I do not deny the possibility of it, because no man becomes suddenly good or bad. There is a gradation of things with regard to good or evil; these boys did not get good all at once. The reason I succeeded with them was, I did not expect to get too much of them at once.

1723. How long have these boys been under your superintendence?—I have known them these seven years, but it is four years since we formed the class.

1724. How long have they been in your house?—They have been in my house above two years and a half; the committee gave them up; the committee could not bear the burden, because the funds fell off; it is rather an expensive affair. I have taught those boys as effectually, in fact just the same, as if I had had a premium for them. I got places for them, and some of the more expert ones in

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the business are now paying me back what they have cost me, and they have all solemnly pledged themselves to pay me back by their labour every farthing which they have cost me. It has been a sacrifice upon my part; but I had a strong confidence that if the right means were used the boys could be reformed, and therefore for my own satisfaction I have carried that experiment out.

1725. Mr. *M. Milnes.*] Were these boys brought up in very miserable circumstances of poverty and degradation?—Some of them were; others had no occasion to steal; but some people have a natural propensity for stealing; some people are more covetous than others.

1726. Do you think, from your observation of the children of the lower orders, that many of them have a sort of natural propensity for pilfering, without any distinct notion of right or wrong?—Yes, I believe they have. I do not know whether it is hereditary; it is so in all ranks. I conceive there is something hereditary in these sort of things; that a child would partake of its parent's nature to a certain extent.

1727. Then if this inclination is not checked by proper discipline, of course it naturally grows into habitual crime?—Certainly.

1728. How have these boys that you have taken care of been treated by their comrades when they have met them occasionally; other boys of the same age?—When we first took the boys into the school, I thought their companions would have pulled the school down, they were so annoyed at it, because the lads we took were what we might call the chiefs of the gangs; they have come in a body before now, and they have carried away the lads from the school after we had them there, but of course the boys soon found which was the best; a boy would not be there a month without knowing that it was better for him to be guided by me; any rational boy would understand that in a month, and he would choose for himself within a month to live with me rather than go back to his old associates. Now those boys have succeeded, many of them, in reforming their old associates. I never had anything like confinement; they were always allowed to go out on a Sunday, when they had done their work, among their parents and old associates.

1729. Have any of the grown-up thieves and instigators of these boys been after them, and trying to get them back again?—At first they did, but they soon found it was of no use; they never succeeded in a single solitary instance. When moral dignity and Scriptural charity is manifested by human beings, a child will see it and adore it; my own child, who was not above four or five years of age, and without a mother, I took to the Ragged School; he associated with other lads, vile and wicked as they were, and my little boy would scorn the idea of doing a wrong act, nor would he allow it. Though I never use the rod, or anything else of that sort, there is a feeling in those lads that brings them to perfect submission; they dread my looks, or a frown, or a word from me, more than they would dread the lash.

1730. Do you think boys of that class very soon get hardened by corporal punishment, so that it is of no use to them?—Yes, I believe that after the first or second time they get hardened, and then there is only engendered in them a spirit of revenge, of hatred, and malice; there is then awakened all the worst passions in our nature by whipping them, and they come out of confinement and think they are quits with you; whereas these boys to whom I have referred, always feel that they are in my debt, and I never allow them to pay me.

1731. How have your neighbours treated you, since you have adopted this process?—As I have said here, almost every one of my neighbours was against me in the first instance; but it is not so now, since they see by themselves, that those lads who were once a disgrace and a curse to society, are now smart, fine young men as ever you saw; you would not think they were ever what they have been.

1732. What has the effect of that been upon your neighbours?—Very beneficial; we have got many friends to the school, and I have met with a very great deal of courtesy, whereas I used at one time to have ridicule, scorn, and so on.

1733. Have you found any of your neighbours at all inclined to imitate you, and take care of other boys?—I have never found any one yet who had courage enough for that; I never found any one ready to undertake what I have undertaken.

1734. I do not mean exactly that; but, for instance, do you think that any of your neighbours would be more likely to take a boy coming out of prison, and to

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take care of him; not to think so badly of him?—No doubt it has had that effect upon the neighbours generally, for it is proved beyond a doubt now, that these boys are capable of being reformed.

1735. Mr. *Tufnell.*] Have you ever heard any of these boys describe the effect which prison confinement and discipline has had upon them?—Yes, I have made myself thoroughly acquainted with that; that was my principal object; I was so anxious to see the effect that prison discipline had upon them.

1736. Will you state what that was?—I think I stated just now that the effects of prison discipline were calculated to freeze up and harden all the sympathies, if ever the boys had any, and to set them against not only the officers in prisons, but against society at large; I know that it has had that effect upon the lads.

1737. I wish you to state what you have heard from them themselves; give the Committee their own description of prison confinement?—I have much information written down, but I cannot refer to any remark at the present moment.

1738. But your general impression is, that for juvenile delinquents, prison confinement has an injurious tendency?—Yes.

1739. That it is injurious to their moral feelings, and hardens them in crime?—Undoubtedly so; all the laws of nature would teach that. We know by ourselves that if any one speaks kindly to us, or looks kindly at us, and performs a kind action, or any act of assistance, we at once appreciate that act; if on the other hand they act in a contrary sense, and where there is no necessity for it, we then have a contrary feeling towards them.

1740. Mr. *M. Milnes.*] Now, judging from your own experience, how would you wish a boy to be treated who was found guilty of theft or any other offence against the law; would you begin first of all with punishing him?—No, I do not say that; it would depend upon circumstances; you must first trace the cause of his getting into crime; there is a great deal of crime that is natural, and there is crime that is wilful. A boy committing a crime in ignorance, and wilfully breaking a known law, are two different things; a great many of these boys are so ignorant that they do not know what they do, but doing a thing wilfully is another thing altogether. A boy comes to me; I receive him in favour, and he asks me to take him; I say to him, "You must leave off eating this or that, or the other," and he does so. I find that the vitiated appetites of these children lead them into crime more than anything; they get fond of sweets, and things of that kind, and then after a time they get fond of smoking. I find that a great many crimes are committed to gratify these artificial or morbid appetites.

1741. Do you not think it necessary that some punishment should be inflicted upon these children, by way of example to deter others?—I would not annihilate the sword, I would suspend it; but I think perhaps in extreme cases, for the sake of example, it might be almost necessary: but all these boys dread my displeasure more than they do any other punishment, so that if a lad were to come to me and ask me to take him, I would receive him into my favour, on condition that he conformed to my rules and orders. They are cruel tempers, and wicked in every instance; they are swearing, lying, and all these things. If a lad comes to me, and leaves off stealing, and eating and drinking, and smoking, and lying, and all these things, if he is willing to stay with me, I think that is a sacrifice which is quite a set-off against any crime which he has committed; if he will cut off his hand or pluck out his eye, I think it is far better than your punishing him, because I cannot see the connexion between punishing a boy and removing him from crime. My father was a soldier, and was flogged now upwards of 50 years ago, and I have heard him speak of the effect that that punishment had upon him. As he was going over to the West Indies, as he crossed the Line, he received 50 lashes, and I have heard him say that that created in him a feeling of dislike against the colonel who ordered that punishment, such as he never could forget; and although the colonel offered to make him a serjeant when they got to the West Indies, he refused it and would not be friends with him. He was punished for damaging the king's stores, and a great many of these boys' crimes are analogous to that; they are not so wilful. I contend that the mother and father ought to be punished, and the associates that are the immediate cause.

1742. Do you think, supposing there were something like Reformatory Schools established, and these children were placed in them, that the parents could be made to contribute to the maintenance of the children?—Certainly; I have lads in this school of mine whose parents could well afford it, whose fathers were

engineers

engineers and whose mothers work, and could well afford it; and I know two or three cases where it would really be justice to themselves and to the neighbourhood in which they lived to make them pay a part, because if they had to do that they would not have so much to pay for drink.

1743. Mr. *Tufnell.*] Those are exceptions?—Yes.

1744. Mr. *M. Milnes.*] Do you think the money could be collected?—Yes, I think it might; if not, I would punish them.

1745. Do you think that there would be any fear, if criminal boys were taken care of in this way, that it would be an encouragement to other boys to commit crimes for the sake of being taken care of?—No; I am sure that the honest poor would be the first to hold up both hands to move at once the criminal class, and I can illustrate this by stating a fact that came under my notice. Mrs. C—— was the mother of seven children residing in Fitzroy-court, in the same court that another poor honest woman lived with the same number of children; her name was B——; when I took C.'s children, Mrs. B. came to me and said to me, "Mr. Ellis, you have passed by my poor children who never did anything wrong, and you have taken these vagabonds." I could not, at that time, explain the reason to her why I had done so; but some six months after this, the woman came and said to me, "I now see the reason why you took C.'s children;" and, she said, "I am glad you did so, and she gave me three or four distinct reasons: one was, that since we interested ourselves in that family, the court was not like the same; that much of the drunkenness and rioting had ceased; that they were a pest to the court; not only that, but that the fruit that the poor honest women used to sell, and the vegetables and so on, were all lost, were all taken away by those bad ones; not only that, but that the influence was removed from her children.

1746. She saw all those good effects, did she?—Yes, and not only that, but the charitable and benevolent, and the Poor-law guardians that would go round and condemn the court, when perhaps two or three vile bad people in the court would give the whole court a bad name, and the intelligent, honest poor understand all this.

1747. Then you do not think there would be any chance of parents encouraging their children in crime for the sake of getting them provided for or taken care of?—There is danger in that question, for I believe that some would do it; and even those that are removed a little above the lower circle here, the class that are above the very low class of all, would say, "Those criminal children are treated better than our children who have never done anything wrong;" and I think that some people would cherish the thought of subjecting their children to vice, for the sake of the premium.

1748. Then how would you meet that difficulty?—I contend that this would be only an exception to the rule, there is such a great preponderance on the other side.

1749. You think that if there were parents who did this, they would be persons of really criminal habits of mind, and quite exceptions to the general rule?—That is my opinion.

1750. Mr. *Adderley.*] In your experience of the treatment of these boys, would you recommend that any young person under the age of 16 should be sent to prison?—No, I would not; I would prefer their being sent to a Reformatory School.

1751. Have you seen Red Hill?—I have; I have visited Red Hill.

1752. Would you prefer any young offenders under the age of 16 to be sent to such an institution as that, instead of to prison?—Yes.

1753. Do you think that under such an age a prison would be injurious to young offenders?—I do; the very confinement of walls, and the whole system is repulsive to their nature; they dislike it, and they set up an opposition to it, and there is that antagonism in the human species that they would do things out of opposition.

1754. We cannot expect individuals like you to take up the cause of these young criminals; the expense of reforming them must be taken up by the nation at large; is Red Hill such an institution as you think would suit their case; do you like Red Hill?—Yes.

1755. As a national remedy?—Yes; I went down to Norfolk two years ago for the purpose of establishing a similar institution; I went to the Gurneys and to a lady named Hammond, who all promised me support at the time. My friends there

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there are farmers and I wanted to take 100 acres of land and establish the very identical undertaking that we are now contemplating.

1756. Mr. *M. Milnes.*] Why did you not succeed?—The Ragged School could not entertain the idea because it was too far from London. I had then the best part of 100 *l.* of my own money; I had sold a business of my own on purpose to carry out the scheme. I was then in partnership with a brother of mine, and I sold my share in that business on purpose to establish a farm school, but we could not raise money enough, so I abandoned the idea at that time, and I made up my mind as soon as the opportunity offered to follow it out.

1757. Were you promised much assistance in Norfolk?—Yes; Mrs. Hammond, who spends 900 *l.* a year in schools, told me she would do all she could for me. I was born at Swaffham.

1758. Mr. *Adderley.*] Do you mean schools only for criminal, or the destitute as well?—The criminal, because I conceive the criminal class those that cause almost all the evil that the poor are subject to; remove the criminal class and then your poor law is easily adapted to the wants of the poor people, but it is the criminal class that are such a burthen.

1759. How would you deal with the children now in the workhouses?—I would let them remain there still; I would let the Poor Law deal with them; I think we should raise them up to a much higher standard than they are now.

1760. You do not think the two can be treated together in the same school?—Probably they might; I am rather favourable to distinct institutions.

1761. Do you think that the parents of poor children would feel an objection to their children going to a school in which criminal boys were admitted?—Many would; real honest people would.

1762. Even if the criminal boys were treated in as kindly a manner as you propose?—Yes, I believe that the really honest poor would object to their children associating with these, not understanding perhaps. Unless you are secured by good agency in these reformatory schools, your children would get contaminated; that is, unless you can once turn the bias in the boy's mind.

1763. Do you see much difference between the boys whom you find in the Ragged Schools in London, and the boys whom you saw at Red Hill?—I did not have much conversation with the boys at Red Hill.

1764. Do you think there is much difference between the class of boys found in the Ragged Schools, and in the class found at Red Hill?—They are the same class; but there is a different class in the Ragged Schools; they are not all criminal; there is a great mixture in the Ragged Schools; all the poor, the criminal, the destitute, and all sorts; we have some very respectable children come to the Ragged School, although they are very poor.

1765. Am I not right in saying that a great mass of the criminal children of London are found in Ragged Schools, and are only not in prison because they have been too clever to be caught?—Yes, that is it, no doubt.

1766. As a general rule, you might say that the cleverest young thieves in London were more likely to be found in the Ragged Schools than in the penal schools?—There are twenty young thieves out of prison to one in.

1767. When I asked you whether you would recommend any under 16 to be sent to a prison, I think you said no; is 16 years the age you would recommend as the limit, or is there any other age that you would prefer to 16?—There might be exceptions made, I think, to that rule.

1768. What age would you say is the right age to draw this distinction as to the treatment of boys?—The younger the better.

1769. Do you think 16 is too high?—I do not think it is quite high enough for a Reformatory School.

1770. What sort of age have you thought of, from your experience, at which the line should be drawn?—I should like the lads, before they assume the character of what are called youths; there is the child, there is the youth; there is the boy taken before he comes to the manhood.

1771. What age do you mean?—Perhaps, at 14, I would say. It is considered that a boy has reason at 14; that reason then begins to dawn, and after that time they are more responsible. I cannot conceive children being guilty at all under that age.

1772. Now what is the limit of youth, do you say?—Twenty-one.

1773. Fourteen and twenty-one, then, are the two limits?—Yes; there are

others that think that boys are very criminal from seven, eight, and nine, but I cannot say that.

1774. Mr. *M. Milnes.*] Have not the ragged schools been accused of harbouring criminal children, and therefore of affecting the more honest part of the population?—Yes.

1775. How much truth do you think there is in that accusation?—There is some truth in it, for I know instances where boys who have been good children have come to the Ragged School and got contaminated; but whilst that is the case, I can say that 1,000 have come to the Ragged Schools and got benefited.

1776. Therefore, if there were some better arrangement made with regard to these criminal children, that would relieve the Ragged Schools from what is at present, to a certain degree, an evil?—It would.

1777. Can you, from your experience of these children in the Ragged School, detect those who have what may be called criminal inclinations?—I could find them all out in about an hour; I could soon tell; I could partly tell by the look; but when I came to speak with them, I should find it out immediately.

1778. Do you pursue any particular treatment with regard to those children in the Ragged Schools?—No, we cannot classify them there.

1779. I do not mean classify them formally; but in your treatment of them, do you treat them in a particular way?—I have no particular treatment with regard to them in the school, because they only go there for an hour, or an hour and a half, and that time is principally occupied by prayer; it is only by half an hour's conversation with them.

1780. Have you followed those children, and seen them turn out criminally?—Yes, there are now ten or a dozen in the neighbourhood where my lads work, 10 to 14 years of age, and they are in a very bad state now.

1781. Mr. *Adderley.*] Have they been long in the school?—Yes, from the commencement; but for the want of employment, and for the want of mother and father to look after them, they are become what they are, and I see no remedy for that, except to get labour for them, and to get such agents as know how to train them.

1782. Mr. *M. Milnes.*] When a boy who has been in prison comes out of prison, if he has no regular home to go to, is it very difficult for him to get any employment at all?—Yes, it is very difficult; and some of my lads went to places, and lost those places entirely in consequence of the police going to their masters, and telling them that those boys were thieves; that has been the case, and I went on that account to the station-house to tell the inspector of it.

1783. Then you remonstrated with the inspector?—I did on that question.

1784. And did he approve of it?—He did not approve of my system.

1785. But did he approve of the police having given the masters that information?—Yes, he did; he said he had no faith in the boys; he said they were hypocrites; the inspector fully believed that all those lads were hypocrites. I do not know whether that impression is removed from their minds now.

1786. If you had your choice with these boys, whom you consider reformed, would you rather leave them to run the chance of leaving them in this same place, and among the same companions, or of removing them altogether to another spot?—I would remove them altogether. Joseph Sturge, Esq., of Birmingham, has been to my house to day; he is going to establish a school in Birmingham, and one of my lads is going down to Birmingham to break the lads in there. Mr. Bradshaw wants me to go to Manchester to establish a similar institution there. Mr. Sturge has bought 70 acres of land on purpose to devote a portion of it to this work; hearing of me from a learned friend of mine, Mr. Power, he has written to me several times, and has seen the lads at work; he saw the lads looking so healthy and so well. I never had any sickness with regard to them They are remarkably healthy looking and happy; he was so delighted to see my lads so industrious that he gave me 5 *l.* towards the support of the thing; and we have now concluded that I am to go down to Birmingham to see to this matter.

1787. May I ask what first turned your mind to the reformation of these criminal children?—The power of religion upon the mind.

1788. Were there any particular circumstances; was there anything that you observed?—Nothing; only that I saw a remedy, and if that remedy was applied, I had no doubt as to the result of it; and perhaps the opposition that I had met with has urged me on a great deal more, for I have heard that Sir Peter Laurie said,

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that he would walk 20 miles to see a reformed thief. Mr. Armstrong came to the school and urged me on, and told me that he would call again, which he did; and he said, that if I succeeded he would call a meeting of the Middlesex magistrates to establish schools in connexion with prisons, where the lads should go as soon as they came out of prison, but Sir Peter Laurie upset that; he got a majority of three in his favour.

1789. He got a majority against you?—Yes.

1790. Mr. *Adderley.*] He would not acknowledge your success?—No; he wanted more whippings, more prisons, more treadmills, and so on.

1791. Mr. *Miles.*] Where those three boys whom you originally took brought to you; did they come willingly, and was it their particular wish that they should come and place themselves under you?—Yes, it was; we had talked about it in the Ragged School before we established it, and they wanted to be employed, and at last an opportunity offered in 1848.

1792. Then going on to the rest, you took in a number, altogether amounting to 15, as you have told us; did the other 12 put themselves voluntarily under you?—They were admitted part in this way: the three boys that I took in first begged for their associates to be admitted, and offered to share their food among them if they could be admitted, and they did so; all the boys in the school would have been very glad to have come and lived with me.

1793. I want to draw the distinction; in a large Ragged School there are some who may repent of their evil deeds, and there are others who may not be so repentant, and yet may attend the Ragged School; I wish to know whether these boys all came voluntarily to you, having seen their misdeeds, and having a wish to reform?—This was not the case in every instance. Two or three boys came, as they have told me since, out of curiosity, and they told me also that they did not intend to stop when they did come; but the peculiar discipline and treatment which they met with in the school seemed to have won upon them, for those boys had unkind parents, and when they came in contact with an individual who sympathised with them, and spoke kindly to them, and took them by the hand, it was what perhaps they had never had before.

1794. Taking these two or three boys that came rather to try and laugh at the system first of all, had they been greatly criminal before they came to you?—Yes, the most criminal.

1795. And how long after they came to you did they appear to have entirely come into your system of treatment?—I should think it was perhaps 12 months before I could have confidence in them, because my system is one of this sort: I say to them, "Now come here if you like, go away if you like," and I could know whether a boy was sincere only on this principle; I could not shut a boy up for 12 months; that would be useless, because directly that time expired he might go away. I say to them, "If you come here you must work, and I will give you food; you must conform to my rules, and I will treat you accordingly."

1796. Then these three boys who came insincerely into your school at the expiration of 12 months you could trust equally with those who came voluntarily?—Yes.

1797. Then in any Reformatory School which may be adopted, it will be necessary, you think, to keep them a certain time in the school; it would not do to give them three or four months' industrial occupation, but that a certain time must be taken, taking the whole class, and though some repent not and some do, that a certain time must be given?—Yes, undoubtedly; on the self-supporting system that I have devised, I would keep those lads for at least four or five years, because if you take a lad for six months, for 12 months, or two years, he is not sufficiently instructed to obtain work; but if you keep him long enough to make him a good workman, he will earn three times as much as he costs, and this is the only principle upon which the system can be self-supporting.

1798. How many boys attended the Ragged School, at first, on an average?—One hundred and fifty.

1799. Now, I ask you out of those 150 how many may you put in the criminal class, and how many in the industrial class?—One third would be criminal.

1800. You say you have only stopped your proceedings owing to the want of funds?—Yes.

1801. Do you think that, upon the whole one-third, if you had had the power of bringing into operation your plan, that it would have met with almost unanimous success?—No doubt; one lad said to me, not many weeks ago, that he knew

knew many lads that would "square up," which means leave off thieving, if I would take them, and many have been transported these last few years.

1802. And these children would have been saved, supposing that there had been a reformatory school conducted very much under the system you speak of?—Yes; undoubtedly.

1803. I understood you likewise to say, and you drew a very proper distinction, that some children really committed trifling thefts without a knowledge of right and wrong?—Yes.

1804. While others committed wilful and malicious acts, and I understood you to draw a distinction rather between the two classes?—Yes.

1805. Would you, therefore, with those children who committed wilful and malicious acts, subject them to imprisonment, before you put them into the Reformatory School?—I would give them a chance; I would not punish any lad who had not had any previous opportunity of reforming; because although in one sense it is a wilful violation of a known law, yet there may be circumstances connected with it that might palliate the crime a little, although it was wilful; so that before he was punished, if ever I flogged him at all it should not be until I had tried every means to reform him.

1806. Then you would object to the reformatory system before you imprisoned him at all?—Yes, but my system is a system of privilege; I have, perhaps, 20 degrees of privilege, such as favour, food, liberty, indulgence, kindness, and so on; I have quite sufficient rewards and punishments. You must have a system of rewards and punishments, but of mental, not corporal punishment; for if you get hold of the mind, you will find that that is capable of suffering far more than the body; the greatest calamity that could befall any one of my lads would be that I should frown upon them, that I should warn them of the loss of my favour towards them, and so on.

1807. Although you have conducted this school on a very small scale, and with such success, will you be good enough to tell the Committee what kind of system of rewards and punishments can you have held out to those who have been in your employment as shoemakers. Just give the Committee some idea. Supposing a boy behaved himself ill, what would be the penalty; if he behaved himself well, what would be the advantage?—With regard to their labour, I put the boys all on a pivot of their own; I make them move in a circle with regard to their labour. I say to them, "If you do so much labour, all you do over you shall be paid for." That was a system they liked; they could gain by this, and of course they could get my favour, and food; and a boy that was industrious and willing to do all he could to oblige me, would be raised to a better state of work. He would sit near to me at my table, and he would receive marks of favour of different sorts; he would have a better pair of boots made, better clothes, and various other little things that are great things to him; whereas a boy that would not work would never have a penny to spend, nor any clothes. Whenever I saw anything wrong, I have been used to warn them, and say, "Now do not do that again." For instance, those lads would by chance steal down on a steam-boat excursion on a Sunday, or such a thing as that, which I disapprove of. I warn them when it comes to my ears, and if necessary, I threaten them; but I never make it a point of punishing a lad unless he is guilty.

1808. What would be the next thing to warning and threatening; supposing again he fell into some fault?—I have never seen that; I always found the treatment sufficient. I have never yet had to shut my door against a lad.

1809. I suppose the threatening would be, that you would turn him out of doors?—Yes.

1810. And you say that this mode of treatment has been quite sufficient to keep those 15 children in perfect happiness and obedience towards you as their master?—Yes.

Martis, 8° *die Junii*, 1852.

MEMBERS PRESENT.

Mr. Baines.	Mr. Palmer.
Mr. Fitzroy.	Mr. Cornwall Legh.
Mr. Miles.	Mr. Monsell.
Mr. Monckton Milnes.	Sir W. Jolliffe.
Mr. Adderley.	

THE RIGHT HON. M. T. BAINES, IN THE CHAIR.

Mr. Serjeant *Adams*, called in; and Examined.

Mr. Serjeant *Adams*. 8 June 1852.

1811. *Chairman.*] I BELIEVE you are a serjeant-at-law, with a patent of precedence?—I am; and have been so 28 years.

1812. Do you hold the office of assistant judge of the Middlesex quarter sessions?—I do.

1813. Before that office was created, I believe you were chairman of the quarter sessions for the county of Middlesex?—I was.

1814. How long have you presided at that court as judge?—As judge eight years, and as chairman nine years, making altogether 17 years.

1815. Before you held that office, and while you were at the bar, were you in the habit of attending the Midland circuit?—I was.

1816. In the earlier part of your professional life, I believe you attended the sessions?—At Warwick.

1817. Had you there the opportunity of witnessing the trial of a great many juvenile offenders?—A very great number, from the supply that we constantly had from Birmingham, a place very obnoxious to offences of that character; because they deal in the mixed metals, and the children are very much employed in the manufacture of them.

1818. Since you have been appointed to the office in the county of Middlesex, have you had occasion to try a great number of juvenile offenders?—I had occasion to try a vast number of juvenile offenders, until the recent Act of Parliament for giving summary jurisdiction, in cases of larceny, upon children under 14; and I am perfectly confident that from the publicity of these trials the feeling of disgust was becoming so strong, as to the state of our criminal jurisprudence with respect to children, that if the cases had not been removed from public view, the whole system must have been changed before this time. The juries were, indignant at the scenes daily taking place; 30 to 40 children, of the ages from 10 to 13, being often brought before me to be tried and sentenced at the sessions.

1819. What was the age of the youngest child?—The youngest child I ever tried was seven years of age.

1820. The law does not allow you to go below that?—No. The smallest offence was stealing a penny tart.

1821. Have you had a great many children of eight and nine?—A vast number.

1822. Is not the law this: that under the age of seven a child is not, by the English law, criminally responsible; that at seven, between seven and 14, the law presumes him to be *doli incapax*, but that that presumption may be rebutted by evidence?—That is the law which I was taught when a student, and which I believe to be the law ever since; and I never heard that anything else was the law.

1823. You are aware of the objects of the inquiry of this Committee to inquire into the present treatment of juvenile offenders, and as to any measures of practical improvement which can be suggested in that treatment; the Committee would be very happy to receive from you any suggestions which occur to you, first, with regard to the present mode of treatment of such offenders, and secondly, with regard to any improvements which suggest themselves to your mind. I understand you to be anxious to state your views to the Committee upon some of the principal causes of juvenile crime; have the goodness to favour the Committee

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mittee with such information as occurs to you upon that subject?—I will. It appears to me, that the causes of juvenile crime are various. Some are within the power of amelioration by enactment; and there are some that nothing but an increased moral feeling in the lower classes can mitigate. Of the first class there is obviously one: the present state of the lodgings of the poor. I was looking at a speech of Lord Ashley's but yesterday, and I there find he has found that there are 14,000 persons sleeping in 470 rooms. The effect is lamentable beyond what any one who is not acquainted with the interior of a gaol can credit. Perhaps you will be astonished when I tell you, that the governor of the House of Correction of Coldbath-fields, who is a most valuable and excellent officer of 30 years' experience, Mr. Chesterton, tells me, that upon inquiries which have been made through the matrons of the female prisoners of the ages of 14 and 15, that they frequently find cases in which they cannot remember their first intercourse with the male sex; so utterly demoralized is their condition.

1824. That is one of the causes?—Yes. There are also other causes, that may be reached, as it seems to me, by enactment, some way or other.

1825. Are there any suggestions which you would make upon that subject?—No, I do not feel myself competent to make any suggestions as to legislative provisions with regard to lodging houses; I have not considered the subject sufficiently to enable me to do so. The next cause I would name is one that can only be met by an increased moral feeling; it is an odd one, but it is a very important one; namely, second marriages. In the lower class of life there is often a struggle for bread and the stepmother gives the bread to her own child, and the stepfather is jealous. I find that the children brought before me who have either a stepfather or stepmother are quite out of proportion to the total number. I ought to mention that practical men agree with me in that view of the case. There is another cause that I will name to you, which is quite within the reach of amelioration by enactment; and that is, penny theatres. The number of children who plunder articles and sell them for the purpose of going to these places of amusement is very great indeed, and our law at this present time is more absurd upon that subject than is generally believed. We have, by a statute passed in the reign of George the Second, the 25 Geo. 2, c. 36, a provision for licensing houses for public music and dancing. About two years ago I had the misfortune to differ in opinion with the bench upon the subject of these licenses, and I ventured to write a letter to the magistrates upon the subject, which will give the full history of that statute; it is a very curious history. The provisions of that statute are simply these: that a person within 20 miles of London cannot have public music and dancing in his house without a license; when he has got that license the only two conditions imposed on him are, that he shall have "Licensed by Act of Parliament" put over his door, and that he shall not commence his amusements till after five o'clock in the afternoon. One absurd effect of this is, that there can be no public concert in London in the morning anywhere but in a theatre, or those places which have a license under the Lord Chamberlain, Albert Smith's Voyage to India, and all those things, are subject to a penalty of 100 *l.* every time they are represented. After the license is granted there is no power for the police to to take cognizance of licensed places. I would suggest simply a revision of that statute, giving stringent powers to the police to watch these places, and putting the persons who are licensed under the same magisterial control which there is now exercised over public-houses. Such a provision would very materially check that evil; it seems to me so obvious, that further remark is unnecessary. Owing to a hasty opinion given by Lord Campbell when he was Attorney-general, it was supposed that there could be only licenses for public music and dancing, and that you could not give a license for public music alone. I was always of a different opinion; and in consequence of the letter above alluded to other opinions were taken; and the opinions were unanimous, that it was a hasty opinion of Lord Campbell's, and that they can be granted separately; music licenses are now granted without dancing licenses; but there is no power over these penny theatres at all.

1826. Mr. *Adderley.*] What power would you give the police over them?—I would give the police the power of entering them and seeing the performances, and stopping them if they were immoral. I would give the police the power of stopping any immorality that was going on in the theatre, and I would give to the magistrates the same power of surveillance which they have now over public-houses. Thus let the policemen summon the offending parties before the magistrates, and let the magistrates then suspend their licenses, or take their licenses

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away from them, as they do now in the cases of public-houses. I would give the magistrates the same power.

1827. *Chairman.*] Proceed in your own order, if you please?—I could say a great deal more about the penny theatres, but if the Committee will permit me I will send them a copy of the letter to which I have adverted, for it contains some curious statements of the state of the metropolis a century ago.

1828. Mr. *Miles.*] Besides this surveillance of the police, would you recommend any additional security, or would you recommend any additional clauses to the old Act of Parliament?—I would recommend a repeal of all the clauses of the Act of Parliament. I may as well, as you have asked this question, refer to a clause which regulates the prosecution of the keepers of brothels. Any two householders may go to a magistrate and complain that there is a brothel, and if the parish do not prosecute the keeper of it, they then enter into their recognizances that they will prosecute; and when they have prosecuted to conviction they have all the costs paid by the parish, and receive a reward of 10*l.* each. Now what is the practical effect of this clause? I will give you an instance. Two disreputable men informed against seven brothels; they entered into recognizances to prosecute; they did prosecute; the parties pleaded guilty. Then I am told that the house is shut up, and that they are gone, and that it will not happen again. The parties go away; a large bill is sent in, which the parish have to pay, and the two men get 70*l.* each for having prosecuted; and in the course of a month the brothels are open as before. I traced the two men in the case I am telling you of, and I found that one had taken the benefit of the Insolvent Debtors Act, and that the other was then living in a small house in Clipstone-street, Fitzroy-square.

1829. Then, as you would repeal the existing Act of Parliament, would you merely enact that a power should be given to the police as to these penny theatres, and that you would allow the licenses to go to these penny theatres as usual?—No; I would let the magistrates license them, and I would let them exercise their discretion in licensing them; and when they did license them, that it should not be a license uncontrolled, but that it should be a license controlled by the police themselves; and would give authority to the police to take into custody all persons found in an unlicensed theatre.

1830. Do you consider that that would be sufficient?—No; I do not say that it would be sufficient, but it would certainly be a great amelioration of the present state of things.

1831. Have you likewise turned your attention to what is becoming a source of great crime, as has been stated by a number of benevolent persons in the county of Middlesex, namely, the low betting houses?—To a certain extent, I have, but this is only a revival in a new shape of a question which was settled 30 years ago, when lotteries were abolished, because they were considered productive of so much immorality and evil; this is only establishing lotteries in another shape, and I should say there is no doubt that this matter does increase juvenile crime, and that boys are very much led to rob their masters from it. It is a singular thing, that two years ago the Middlesex magistrates were determined to refuse all licenses to publicans who turned their houses into betting houses; I received a letter at that time from a man who said, "You do not know what you are about; if you stop licenses to the public-houses, because they are betting houses, you will have a low class of houses starting up instead, and you will make the evil greater than it is at present."

1832. And the result has been what the writer of that letter there foretold?—Yes, it has.

1833. Would you in any way interfere with these low betting houses?—Certainly I would.

1834. In what way would you interfere with them?—I would pass an Act of Parliament to prevent them, and I would put them under the surveillance of the police.

1834*. Supposing the Grand Jury Bill should pass, and this clause of the 25 Geo. 2, should be repealed, the question comes, how would you then have the brothels prosecuted? I have thought very deeply upon that subject, and I believe that the wiser course would be, to place all such prosecutions in the hands of the Commissioners of Police, and for this reason: the evils cannot be got rid of; they can only be mitigated, and they cannot be better controlled than by the Commissioners of Police.

1835. Then how would you manage in those counties in which police are not established?—I have only spoken of the metropolitan districts. This Act of Parliament only refers to the metropolis, and 20 miles around it.

1836. *Chairman.*] Now be good enough to proceed, in your own order, to enumerate the causes which have presented themselves to your mind?—There are, also, a vast number of destitute children. To use an expression of Captain Brenton: "It is unknown the number of solitary children there are in the metropolis." They have neither father nor mother nor friends; they sleep on bulkheads. Before I became occupied by my judicial duties, I was in the habit of going to the gaols; I searched out all the homes and parents of the children, and I found that they lived by holding gentlemen's horses or doing these errands. No one in fact can tell how they live; they can scarcely tell themselves; but they live in a state of perfect ignorance, and without friends; and when they come to be taken to any school, for example, to the Children's Friend Society, those boys, generally speaking, have turned out better than any others.

1837. Mr. *Adderley.*] Is not that statement of yours, as to the number of children sleeping out, and so on, very much questioned?—It may be.

1838. Do you know the returns?—I do not know what the number in the returns is; my information is only gathered from the children themselves and from the gaolers, and from what I see in the returns made to me every sessions. I have returns of all the children sent to me.

1839. Do you happen to know some cases already obtained by Mr. Queckett, from St. George's in the East, upon hearing such a statement as you have just made through means of the police, and did those returns differ very considerably from such statements as you have given?—I was not aware of that; but before I yield my obedience to that statement, I should like to ask how the police could know it, because, if a boy knows when they are coming to him, he runs away somewhere else.

1840. Could you state from what authority such returns as you alluded to are made?—I am not speaking of returns; I am only giving my own individual opinion; that individual opinion is derived considerably from the annual reports of the Children's Friend School, of which I was a great promoter. It is also derived from conversations which I have had with Captain Brenton, and from conversations which I have had with the children themselves, as well as from the returns which come before me of the children tried, where the answer is, "Destitute; neither father nor mother;" and I then have concluded, that a destitute child, with neither father nor mother, must sleep on a bulkhead, unless he gets sufficient money to pay for a miserable lodging, which must be worse, in fact, than sleeping on a bulkhead.

1841. *Chairman.*] Will you proceed to your next suggestion?—Another cause is, the facility of disposing of the articles.

1842. Stolen articles?—Stolen articles. These articles are disposed of principally to Jews, who walk up and down certain parts of the metropolis, and there they are ready to buy anything. They give the child 2*d.*, or 3*d.*, or 4*d.* for the article; and I never yet was able to get a child to what they call "split" upon those men. They are well known, but there is no getting at them; that can only be remedied by the strong surveillance of the police.

1843. An opinion has been expressed here, by a magistrate of the county of Middlesex, that it was desirable to make some alteration in the law as regards marine-store dealers, have you formed an opinion, may I ask, upon that subject?—I have formed an opinion, that amongst the greatest nuisances must be reckoned the marine store dealers; but that nuisance does not apply so much to juveniles as to adults. I do not think the young juvenile offenders, generally speaking, go to marine store dealers, because they would not like to deal with them; but that they are the receptacles of stolen goods I have no doubt. It is very difficult to suggest anything with regard to them. There is an Act of Parliament in existence which compels the marine store dealers to have put up over their doors, "Dealer in Marine Stores," and to keep a book for the entry of all "rope yarn," and so on, "taken in;" but it is one of those things in which we can do nothing.

1844. What kind of power should you suggest that the police should have with respect to marine store dealers?—I should suggest that the police should have the power of going over the premises of marine store dealers at all reasonable hours.

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What the amount of the power might be as to deterring by fear I cannot say, but it certainly might deter.

1845. Would you require all such persons to be registered, and would you then give the police the power to enter the premises of persons so registered?—Yes; I speak from experience we have every sessions. Whenever old iron, or anything of that sort, is stolen, it is almost invariably traced to those people.

1846. Mr. *Palmer.*] Would you give the power of search without a search warrant?—No. I would give the power of going over the premises; but it would be far too great a stress of arbitrary power to give the police the power of search without a warrant; but if the article were concealed, and were to be found, it would be such pregnant evidence of a guilty knowledge, and make parties more careful as to what they were receiving.

1847. *Chairman.*] With regard to the facility of disposing of stolen goods, it was suggested by the same witness, to whom I have just alluded, that an alteration might be made in the existing law relating to pawnbrokers; does any suggestion occur to your mind upon that subject?—I do not know how to make an alteration in the law with regard to pawnbrokers. Some of them are most exceedingly careless in taking in pledges. They take in new articles, boots, for instance, and things of that sort, to a great extent; and they are very apt, to take in cloth, and such like articles, in pieces, which you would think very slight inquiry on their part must satisfy them could not have been obtained legally. I have hundreds of cases in the course of a year where this very thing occurs. The pawnbrokers take in articles at the risk, that if the persons who pledge them are found out and convicted, they (the pawnbrokers) lose the goods. But I must do the pawnbrokers the justice to say, that it rarely happens that I see a pawnbroker blink the question of the identity of the party who has pledged the article. They prove without hesitation that the party on trial is the party who pledged the article. I do not know how you could deal with this matter, but it would be advantageous if you could.

1848. Have you now stated to the Committee all that occurs to you upon this very important subject, namely, the facility of disposing of stolen goods?—Yes; I do not know that I can carry it any further. All the other things are results merely of what I have stated, and I need not weary the Committee with those results. Now, with respect to the remedies that I would suggest, they are very difficult. Of this I am confident, that no system of prison discipline that has yet been devised, or, as I believe, that ever will be devised, will reform a child, by which term I speak of those under the age of 13; I think that has been the great error of Parkhurst. If the Committee will be good enough to refer to the evidence which I gave before the Committee of the House of Lords, they will see there some observations which I made upon the mode of treating children there.

1849. Allow me to ask, has there not been some alteration of the mode of treatment of the children at Parkhurst recently?—That I cannot tell. I would state here, that about two years ago the Middlesex magistrates divided the two prisons; they have two houses of correction, and they put all the adult male offenders into the House of Correction at Coldbath-fields, and they put all the juveniles, as they are termed, into the House of Correction at Westminster. Perhaps it may be as well to state now that a juvenile thief of the female sex is very rare; so rare, that although I try about two thousand prisoners annually, I do not think I try five girls under the age of 16; I think five would be the outside.

1850. In comparison with how many boys?—I used to try about 400; but since the Act has passed for summary jurisdiction, I try now comparatively speaking very few, probably 60 or 70; I do not think I try more. The sub-committee of the visiting magistrates of Westminster have lately been forming a plan for giving an educational correction to those children, and a recent report of theirs contains this passage amongst the rest: "The sub-committee believe that the visiting justices will concur in the opinion that a penal and deterring discipline ought to form a part of every imprisonment, and in the proposition which they submit for consideration, this forms the basis of the system, to be relaxed and modified according to the conduct of the prisoner." Now, entirely agreeing with that opinion as applied to adults and even to youths, I entirely disagree with it as applying to children. "They attach great importance to the rigorous enforcement of punitive discipline in the first instance, particularly in the case of juvenile

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juvenile prisoners." Now I do not agree with that. I agree with it as regards prison; but my belief is, that a reformatory school is the proper place for children of that age. The first attempt of this kind, and that has become now almost defunct, was at Stretton-on-Dunsmoor, by a lamented brother of mine; and he has told me within the last five years that the longer he lived, and the more he saw of children there, the more satisfied he was that, as respected a child, prison discipline was worse than useless. The history of that establishment was this: it commenced at a time when there was no public feeling in favour of the suppression of juvenile crime. It was limited, comparatively speaking, to a few children; it had no support from the Legislature, it had no means of enforcing its own laws, and the only plan by which it could gain even a temporary hold over these children, was by a stratagem; a stratagem is the proper term to use. All these children were hired to the schoolmaster as servants in agriculture for 51 weeks, by which means they got over them the same power they have over servants in agriculture, and in this way, and with these imperfect means, and with these small funds, that society worked on in obscurity for a quarter of a century. The funds fell off because Birmingham never supported it; and upon a strong appeal being made by my brother one day publicly at Warwick, in which he said that the Birmingham people were like their own metal, and that their hearts were made of iron. They took it in good part, and subscribed very liberally, but what has become of the institution since I cannot say. Its success was very great whilst in action. Hours for play formed part of this plan; and I am confident that no plan for children ever will succeed where they do not make play a part of their system.

1851. Mr. *Miles.*] What description of children were first sent to this school?—Principally from Birmingham. Birmingham had at that time a system of out-door apprentices, so that the children were not under the control of their masters; they also deal in mixed metals. It was easy to thieve, and to give the produce over to receivers, and these were the children who formed the principal numbers who were there.

1852. They were children who had been taken before the magistrate?—They were convicted children.

1853. Then by what law were they transferred from the house of correction to this field of humanity?—The Court sentenced them to comparatively short terms of imprisonment, and then a child was sent there, and knew no better. My brother has often told me, that he found those boys did best (and it is a remarkable fact) who were subjected to some months imprisonment in the gaol before they went there, than those who were taken away immediately; and I think this may be rationally accounted for, because the boy then got a dread of the gaol. The gaol does not become his school; his school is a pleasure to him; he remembers the gaol with dread; he thinks of the place he is then in with pleasure.

1854. Then what would you think of a system which, when a boy is convicted, will send him to gaol for a certain period, and then will transfer him to one of these schools, with the certainty that if he ran away and did not return, and was caught, he would be sent to prison?—You have anticipated one of the ways in which I should effect my objects; you are perhaps aware that that power now exists. I had the honour of introducing into the Parkhurst Act the clause which gave to the Queen the power of sending any children who are convicted to any reformatory school; and gives to the governors of such school the same powers that masters have over their apprentices, and compels the children to be obedient to those rules and regulations whatever they may be, and the pardon is annulled if they are not obedient, and are sent back to prison.

1855. *Chairman.*] It is a conditional pardon?—It is a conditional pardon. That system was carried on in the Children's Friend Society, and was found to be working admirably, when the "Times" chose to write the institution down, and from that time that clause has been a dead letter.

1856. Sir *W. Jolliffe.*] How long has that Act been in operation?—I think it was passed about the 1st or 2d of Victoria, but it became a dead letter. The prison inspectors set themselves against it; they said that a child who had committed an offence was the child of the State, and not the subject of private benevolence. I remember saying to one of them, "God bless me, sir! Is a child of 10 years of age, who has stolen a penny tart, to become a prisoner of the State?"

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1857. *Chairman.*] How long was that practice continued?—Not above two or three years.

1858. And during the time it was continued, was the operation of it in your judgment beneficial?—Most certainly; I have no hesitation whatever in saying so. Captain Wilmot, who was at the Cape (the brother of Major Wilmot who was killed there four or five months ago), and who is now at the head of the Military Academy at Woolwich, spoke of the boys out at the Cape as doing very well; but he said this: "If you mean the boys to do well there, or in any of our free colonies, you must not send them there as coming from our prisons in any shape;" and that is it which creates such a strong feeling against those who come from Parkhurst.

1859. Mr. *Adderley.*] What school did they come from?—From the Children's Friend Society.

1860. *Chairman.*] The clause is still unrepealed, is it not?—Yes.

1861. And the operation of it might be resumed at any time whenever the Executive chose to resume it?—Yes.

1862. So that it still remains the law?—Yes. Now the next thing I would state to the Committee is this: that I am very strongly of opinion (I do not know that the opinion will be at all palatable), that the time is not yet come when Government can interfere directly advantageously.

1863. For what purpose?—For the purpose of creating establishments for sending out children of this kind. I am very strongly of opinion that, to encourage private bodies with something, either of a building, or a little grant of money, or a little money in aid of the charity, or something of that nature, would probably, for a few years, be better than a Government institution of this character. My reasons are these: a charity has more of a parental character, there is greater interest taken in it, and you must commit a great many blunders at first; it cannot be otherwise; and I believe that in these, as in other institutions, the charities will by degrees rectify themselves. A public interest is created, reports are made, and by degrees sufficient life and vigour will be produced to make the Government interfere with advantage. I have heard of some schemes, but they all appear to me to be too large and too wild; I do not know how you are to deal with them. For example, you cannot send a child, who is brought up for stealing a penny bun, to prison, for the purpose of placing him under the care of the Government; you cannot make every child, on a summary conviction, become the child of the State, and remove him from the protection of his parents. I am much inclined to think, that if the farm at Red-hill were encouraged, and other farms of the same kind were carried out, and if encouragement were given to them, so as to get the means for facilitating the expatriation of the children to Port Philip and other places that are ready to receive them, if they do not come with the ban of a prison upon them, would be far more useful than a direct Government Institution.

1864. Would you have the Institution founded, in the first instance, by voluntary contributions?—Yes.

1865. Would you have the Government interfere from the first?—I would only have the Government interfere at first by a grant of money, the same as they did with respect to the Children's Friend Society; and admirably it was working. However, they have put an end to that. They might interfere by giving them 1,000 *l.*, or something of that kind. The feelings of Englishmen are now so alive to all these subjects. In the metropolitan district, especially, there are numerous individuals of the popular class, who are active men of business, and men of intelligence; and men who have evinced practical good sense by having founded their own fortunes. They retire from business; they want an object; they meet it in the exercise of benevolence; and it is astonishing to see how that class of men in the county of Middlesex bring to bear practical knowledge and practical habits with the high-minded honourable feelings of merchants and superior commercial men; and how for the last 20 years of their lives they occupy their time to the advantage of the public, as up to that time they have occupied it to their own advantage.

1866. It is by the aid of funds, then, that you think the Government might most advantageously act?—Yes.

1867. Is there any other kind of assistance that Government should render, in your

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your opinion?—Certainly, by giving the children facility for removing abroad, by putting them under the care of their different agents, or by sending out to the different places somebody in the nature of a chaplain and a schoolmaster. All these are adjuncts; but I would not have it a Government matter. I would make expatriation the necessary fate of every child who received these benefits; and that for two reasons; the one, that you have no right to raise the home market upon the child of the honest man; and the other, that the children themselves have no country here, and you give them a country in which they may become valuable men.

1868. Mr. *Miles*.] Your plan, I take it, would not touch first offences at all?—I cannot touch them. I do not believe in first offences; it is the first offence that a child is found out in, but it is not his first offence.

1869. *Chairman*.] Do you propose that Government should take any part in the management of these institutions; and if so, be good enough to tell the Committee what part you would assign to Government?—I would not altogether exclude Government. If they give funds, they must have the power of management to a certain extent; but then, I should say, the less they meddled the better, and that their powers should be reserved for extraordinary cases.

1870. You mean there must be some power of inspecting?—Yes.

1871. To be exercised with discretion?—Yes. My idea is, that you should do that which every master who has a well regulated household does: he never interferes with the work as long as every thing goes on well.

1872. Are you at all acquainted with the system pursued at Red-hill?—No, I am not acquainted with the system pursued at Red-hill; but I wish particularly to allude to it, and I am very sorry that I am not in possession of a letter relative to two boys who have been sent there. In my charge to the grand jury, in 1849, which I shall refer to presently, with respect to summary jurisdiction, I mentioned the case of two boys; I rather think they both went afterwards to Red-hill. The first case shows the war that then existed between the prison inspectors and myself:—"Thomas Miller, aged eight years, was tried at Clerkenwell, at the August sessions 1845, for stealing boxes, and sentenced to be imprisoned for one calendar month, and once whipped. At the January session 1846, he was again tried at the Clerkenwell Sessions for robbing a till, and inquiries being then made, it appeared that in addition to the above-mentioned trial he had also been twice summarily convicted, and once tried at the Central Criminal Court, during the year 1846. He was in consequence sentenced to seven years' transportation for the purpose of sending him to Parkhurst, but the prison inspectors thought him too young and too diminutive, and his sentence was commuted to three months' imprisonment. On 14 March 1846, he was again convicted of larceny before the Common Serjeant; and in the printed sessions cases it is stated that the prisoner had been in custody eight or ten times. The Common Serjeant took the same view of the case with myself, and again sentenced him to transportation, and he was again rejected by the prison inspectors, his sentence being on this occasion commuted to imprisonment for two years. He was discharged on 13 May 1848. In July 1848 he was summarily convicted and sentenced to 14 days' imprisonment. From that period he has been lost sight of in the Middlesex prisons, until the 4th day of the present month, when he was sentenced under the Larceny Act, (that is the Act which I referred to,) to be whipped and imprisoned two days. He is now only 12 years of age, and not more than four feet two inches in height, so that he will continue his career for two years more, and until he has grown four inches, before he will be qualified for Parkhurst." The qualification for Parkhurst, which I have in a letter from the Home Secretary, then was (I cannot say if it now is), that the boy shall be four feet six inches in height, 14 years of age, and so great a rogue that he would be transported for the offence that he had committed if Parkhurst had not existed; and it is a remarkable fact, that when the Parkhurst system first commenced I received a letter from the then Home Secretary, snubbing me for having sent a boy who had been summarily convicted three times; saying, that it was not intended that the boys at Parkhurst should be boys of such bad characters as that boy. The other case is this: "Edward Joghill, aged 10 years, has not yet been tried by a jury, but he has within the last two years been eight times summarily convicted, four of such convictions being under the Larceny Act; viz.—

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1847:		Sentence.
13 February -	For possession of seven scarfs, &c. -	2 c. months.
10 May - -	Rogue and vagabond - - - -	1 c. month.
10 July - -	Possession of a half sovereign - -	1 c. month.
13 September -	Simple larceny - - - - -	1 day and whipped.
27 „ -	Rogue and vagabond - - - -	2 c. months.
31 December -	Simple larceny - - - - -	1 c. month and whipped.
1848:		
23 May - -	Simple larceny - - - - -	1 c. month and whipped.
1849:		
25 April - -	Simple larceny - - - - -	3 c. months and whipped.

This return relates to the committals of this boy to one prison only. That boy was then tried before me, and I think he was sent to Red-hill, and I am very anxious to know what has become of him. This leads me to the Summary Conviction Act.

1873. Although you are not familiar with the system of Red-hill, you were perfectly acquainted with the system at Stretton-on-Dunsmoor; was the system of treatment that was adopted there that which you think could be most advantageously adopted in an institution of this kind?—I think so, as far as the means enabled them. As far as I understand the system of Red-hill, it is carrying out upon a larger scale, with larger funds and greater expenses, what was attempted at Stretton-on-Dunsmoor. I withdrew my name from the Old Philanthropic Society for this reason: that they took the children of felons, and apprenticed them with premiums, sometimes amounting to 20*l.*, to people at home. I said, "You are in error from beginning to end; what right have you to be giving to felons, and to the children of felons, 20*l.*, when you will not give 5*l.* to apprenticing the children of honest hard-working people?"

1874. In your opinion, should the treatment of the children be in a great measure industrial?—Certainly.

1875. That you think essential?—That I consider essential. I would have the treatment industrial, and I would have it accompanied by relaxation from labour; I would treat the child as I would treat my own child. If my own child behaved well, I would give him a half-holiday, or endeavour in some way to amuse him; a boy will understand a reward of this kind. If you will refer to my evidence before the Committee of the House of Lords, you will see what the encouragement to good conduct was at Parkhurst. A boy behaving well, was allowed to be at school an extra hour, and to inquire after his friends. I say this was a mistake. Would any one think of giving an extra hour at school as a reward for good conduct? Now, if they had given the boy a half-holiday and a good game at cricket, he would have understood it. Is there any one of us who have ever talked to our children, and told them that if they attended to their lessons how much better it would be for them in after life, who made any impression on them by so doing? We are assuming the children to have a knowledge of life which does not exist. A year is a century in child's life, and he fancies that an old man will always be an old man, and that a boy will always be a boy; but tell him that he shall have a holiday, and go and see the Zoological Gardens, and he will understand you at once.

1876. What is the greatest number that there were at any time at Stretton-on-Dunsmoor?—I do not know, I have forgotten now, but you will find it in the returns.

1877. I think you suggested, that in the case of a child up to a certain age, you would have no imprisonment in a prison at all, but that you would send him in the first instance to a reformatory school?—No, on the contrary, I say that I would send him to a prison at first, but I would not educate him in that prison. I would make the prison painful to him, as painful as a prison could be, and after that, I would send him to a reformatory school, and there I would show him the difference between what he had got for his bad conduct, and what he might now get for his good conduct.

1878. What sort of discipline would you recommend?—During the time he was in prison occasional solitary confinement, and as hard labour as a boy could have. I do not mean to say, that I would bear him down by hard labour.

1879. You

1879. You mean hard and irksome labour?—Yes.

1880. Mr. *M. Milnes.*] Do you think it would be necessary for that object to send a boy to prison, and that a penal training in a reformatory establishment might not effect the same purpose?—I do not. You make it at once a penal place to all the world. They have attempted that at Parkhurst; they have sent every boy that goes there for three months' solitary confinement.

1881. Mr. *Adderley.*] Would you send the thief of the penny tart to whom you have alluded to prison?—No, I would not. In the charge to which I have already referred I have stated what I would do in a case of that kind, and which, if you will allow me, I will read to you.

1882. If you please?—This is what I have said: "It is fearful to contemplate what, in the course of a few years, must be the result of this demoralizing system upon the lower orders of society. A return is made to this Court every session of the history of the boys committed for trial, and I am already beginning to find that a whipping and an imprisonment under the Larceny Act is their first introduction into prison; and I believe the reported cases would be more numerous, but that the first terms of imprisonment are generally so short that the child is not remembered when he is sent for a second time. There used to be a wholesome dread of prisons, particularly amongst youths; but this system must break down that dread. Boys are always boastful of their punishments; and the boy who is sent to prison not only becomes himself familiarized with it, but imparts to his companions a belief that there is nothing to be dreaded there. Can anything be more practically mischievous than that a notion should prevail amongst the youth of the lower classes of the population, that a prison has no terrors? Better would it be, if no wiser or more benevolent system can be devised, that whipping places should be appointed, where boys should be whipped and sent about their business; better, far better, would it be, as I ventured to suggest some years ago, that magistrates should have the power of ordering them to be locked up at the station house on bread and water for a limited period; better, I believe, would it be that the punishment of these children should be left entirely in the hands of the parties from whom they pilfered, than that our gaols should be made the places of their punishment, and children taught to hold them cheap." Then afterwards I say, "When a child is charged with such offences as would bring him within the present scheme of summary jurisdiction, or send him for trial at the sessions, or warrant his commitment under the Larceny Act, I would empower the justice, before whom he is brought, to dismiss the charge altogether, or direct him to be whipped, and locked up upon bread and water for some short period, or send him under an order to the parish or union workhouse, or under their warrant, at the expense of the parents, if they are of sufficient substance, or at the expense of the Government, county, parish or union, as the case may require (the justice having the power to make the order accordingly), to some institution for the reformation of young offenders, there to remain and abide by its rules, of which ultimate apprenticeship in some healthy colony should, for reasons already given, generally, if not invariably, form one. I cannot, gentlemen, in this charge, go into the details of the plan; but if the principle be recognized, they may easily be arranged."

1883. *Chairman.*] I am very anxious to understand what is the plan which you would adopt with a child who was brought before you and convicted of an offence of dishonesty; say, if you please, one who is brought before you for trial, and convicted?—I should have no hesitation in saying that it must be left entirely to the discretion of the presiding judge, who must go into all the history of that child. One cannot lay down a principle which should be applicable to all cases, but the judge must exercise the power of sending him to prison for a certain time, with a recommendation that he be sent to a school, or that he be not sent to a school, as he thinks right. I cannot form any opinion that should guide him generally.

1884. Would it not then be necessary for the law to give the judge a greater power than he has at present in enabling him to make it part of the sentence that the child should go to an institution of this kind?—Yes. It would be throwing a great responsibility upon the judge, but not at all beyond what his duty calls upon him to take, and I do not think you could leave it in safer hands than in those of the judge.

1885. Would you give the judge the power of making it part of the sentence

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that the child should be sent to a prison in the first instance, and afterwards to Red-hill, for instance?—I would rather leave it under the Queen's conditional pardon, than as part of the sentence.

1886. Would you not in that way be creating a kind of obligation in these institutions to receive it?—Yes, that is another difficulty, but I would rather leave it a conditional power. There is another institution, viz. the House of Occupation; I should like that very much to be inquired into. I believe they are now endeavouring to send those who are there abroad, but I know that at one time they had them apprenticed at home.

1887. Mr. *Adderley.*] Where is that?—That is the House of Occupation belonging to Bridewell.

1888. *Chairman.*] When you speak of the judge, you mean the judge whoever he may be; whether one of Her Majesty's judges, or a magistrate of quarter sessions?—We are only speaking of the metropolitan district.

1889. Would you extend the power over the country, or limit it?—I should hesitate very much in extending the power, and for this reason; I think we commit a great error in Acts of Parliament, by making general rules for agricultural districts and crowded towns. They require a very different species of laws.

1890. Would you give different powers then in different parts of the country, or the same power, leaving it to the judge to exercise that power differently, according to the different circumstances of the case?—My answer is this. My experience is confined to the metropolitan districts; my answers are limited to the metropolitan districts.

1891. But to pursue the question further with respect to these reformatory institutions; would it not be necessary to give a power, which is not now possessed by law, of detaining the child in one of those institutions?—The Act of Victoria gives that power.

1892. You mean the Parkhurst Act?—Yes.

1893. The clause which was introduced at your suggestion?—Yes.

1894. You are of opinion that there should be that power of detention obviously?—Yes; and that clause was intended to give it.

1895. You said, I think, that you thought it desirable that expatriation should take place in every one of these cases; would that then be part of the sentence to be pronounced upon the child?—No; it should form part of the regulations of any society to which the Government gave any support, and then you will find the condition so worded, that the child does not go out as a felon, or under penal circumstances; I am very anxious that the child should go out with no ban upon him.

1896. Mr. *M. Milnes.*] Would you desire that the child should be sent to prison in the first place?—Yes; in that respect it is a choice of two evils; the experience of those who have attended to this matter practically is (for they have told me so), that the children do better who have been in prison, before they come there; the experience of those abroad tells me that those children are best received who have not been in prison, therefore you must steer, if you can, a course between the two. Now it seems to me, that the child, having been in prison in the first instance, and then going into the school, that his imprisonment is likely to be forgotten when he goes abroad; I am merely putting it as a choice of difficulties.

1897. *Chairman.*] Permit me to invite your attention once more to the point we were at before, viz., the manner in which you would authorize the judges to sentence a child of this description; should that sentence be to a certain term of imprisonment, a portion of it to be foregone upon the condition that the child went to an institution of this kind and was subsequently expatriated, or how would you propose to carry it out?—I have found no difficulty in practice, when that Act was in operation; I do not think I should find any difficulty now. I should sentence the child to two years' imprisonment, or to transportation, which you must do to get him into Parkhurst; transportation would be better probably. I should then get the Queen's conditional pardon after the child had undergone, say two, or three, or four months' imprisonment, or whatever was thought right; that he would then go to this reformatory school, wherever it might be, upon condition of his complying with all the rules and regulations of the same, one of which would be expatriation to a free colony at a certain time; and then, if he refused,

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why the condition of the pardon is not fulfilled, and he comes back again to prison, and is transported; and so with any incorrigible boy.

1898. That, when he had broken the condition, of course he should lose all benefit?—Yes; you have a boy who is perfectly incorrigible; you send him back to prison. If he is not incorrigible he gets the benefit of his pardon.

1899. With regard to the mode of detaining a child in an institution of this kind, whom do you think should bear the expense of his maintenance?—I think upon that subject, as upon most others with respect to the treatment of children, that we are acting on a wrong principle. We enlist all the lower feelings of every class against us instead of with us. We know the difficulty which there often is with the lower orders to provide for their children. The moment a child is convicted, we take all the burthen from the parent and give it to the State, and the parent is entirely relieved from the burthen of that child. The parish must support a child if the parent cannot do it. We also do our best to make the parish neglectful of these children, because, if the children are convicted, the parish is saved the expense of providing for them, and the State provides for them. Why should we not enlist all these feelings in our favour instead of against us? Why should you not, if a parent can provide for his child, make him do it, and if he does not or cannot do it, why should not the parish do it? I am speaking with some practical knowledge, for I used to inquire very diligently into the circumstances of the parents of these children, when they had any; and I can assure the Committee that it is no uncommon thing for me to have found children whose parents were earning from 25*s.* to 30*s.* a week, whose children have been convicted and got rid of. I remember one case where a child had stolen one sovereign out of a bag of 20 from his parent. The parent went to the child, and told him that if he would tell him what he had done with the sovereign, he would forgive him, upon which the child told him what he had done with the sovereign, and the moment he had done so, the parent got him committed, and had him convicted.

1900. Mr. *Adderley.*] What sentence did you give that child?—I sentenced that child to one hour's imprisonment, and then sent him home again; and I said to the parent, "You have deceived your child, and you may take him back; I will not lend myself to conduct of this description." He of course wished to be relieved from all burthen with respect to the child. I do not know that I was right in what I did; but I mention this to show the position a judge is very often placed in. He cannot do right from the state of the law.

1901. *Chairman.*] Then, in order to carry out your views upon this subject, it would be necessary to make certain legislative provisions?—Yes, it would.

1902. What would you suggest?—I am not prepared to answer the question. I should be very sorry to give a theoretic answer.

1903. It has been suggested here, by one witness, that it would be expedient to arm the magistrate or judge, as the case might be, with a power to make an order upon the father of the child for the expense, or a contribution towards the expense of his maintenance in a reformatory school, that order to be enforced as in the case of an order in bastardy; may I ask what you think of that suggestion?—I very much doubt the possibility of that being carried into practice. I believe you could do it as far as a prison is concerned; and I should be very glad indeed to see a power given to the judge, in a court of justice, where the child is convicted, of ordering the expense of the child whilst in prison to be paid by the parent, or, by the parish; but I very much doubt the practicability and the policy of making the parent pay in a reformatory school. I found at the time when I had so many children before me, that I had constant applications from the parents to get the children into asylums; but I found that the children's friends all dwelt on the idea of having them educated at somebody else's care instead of their own, but none of them were for expatriation.

1904. With regard to expatriation you stated, just now, that it would be proper to pass a sentence of transportation, with a condition attached to it; is there not a difficulty now with regard to that, in the case of simple larceny; I think, about two years ago, there was an Act passed?—There was, but there would be no practical inconvenience, or scarcely any, for this reason, that that same Act allows you first to transport, where there have been previous summary convictions.

1905. Have you now concluded all that you wished me to ask you upon the subject of these reformatory institutions?—Yes.

1906. May I now request you to proceed to any other suggestion; you were going

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going to speak upon the subject of summary convictions, I believe?—I wish first to say a few words upon a very important subject, in a reformatory point of view, the Ragged Schools. The Ragged School is working upwards. It is beginning with the feet, and I hope that by degrees the higher classes will take a part in the movement; but I believe myself, that at present the Ragged Schools are not practically doing all which they may be supposed to be doing, though I think they are laying the seed of future good to a very considerable extent; they at present can hardly be said to be checking crime, though they are checking the causes of crime; they are making boys by degrees become more and more inclined to honest habits. The enthusiasm of teachers of Ragged Schools is marvellous; I have them occasionally before me, to give characters to boys who have been at their schools, and I thus have practical opportunity of learning what they do. This little anecdote may not be uninteresting. A female, some time ago, came before me as a teacher of an Infant School; she came to give a character to a boy, who had been in the school for three or four months. I said, "What do you know about this boy, of 12 years of age; what has he to do with an Infant School?" "Oh," said a person by her, "my Lord, you are mistaken; she means that that is what she gets her living by; but she is a teacher also of a Ragged School." "What! How many hours are you teacher of the Infant School?" "From nine in the morning till five in the afternoon." "Then what time have you for teaching the Ragged School?" "Oh, that does not begin till seven." And the evenings of this woman, after the day had been spent in the wearisome occupation of managing these infants, was spent in voluntarily teaching these poor children. And I should say that, although perhaps that is a remarkable case, yet it is by no means an uncommon one. I never have a teacher of a ragged school before me without asking what his occupation is, and I find that their occupations are all of the same character, and that the whole that they do is carried out by the self-sacrifice of time and rest. That a system so supported must produce good effects sooner or later I have no doubt.

1907. Have you taken part in the superintendence or management of any of these schools?—No; my health is not what it was, and I am told to keep from these exciting subjects, and at this time I have such duties that I could not do it. A day's holiday to me is almost as much as it is to a child. I should like, in reference to the two charges that I have made to the grand jury upon the subject of summary convictions, to say that I have shown in them the enormous number of committals consequent upon the Petty Larceny Act, and, as far as my experience goes, the magistrates themselves for the last two years have abandoned it entirely, and that committals under that Act now are very few. I am not speaking from returns when I say this, and therefore I may be in error.

1908. Have you ever adopted the practice, which we understand has been adopted by the learned Recorder of Birmingham, of dismissing boys after convicting them, without punishment, and giving them over to their families, upon an undertaking that they shall take care of them?—The Recorder of Birmingham and myself have very different classes of people to deal with; one-half of my poor children have no parents to send them to, and the parents of the other half are almost the last people I would send them to.

1909. Have you considered the subject of making a parent enter into recognizances for the good behaviour of his child; that has been suggested here, as a power which it would be desirable that the law should give to be used at the discretion of the magistrate?—What is to be done if he breaks the recognizance?

1910. *Sir W. Jolliffe.*] Almost all the observations which you have made in these charges refer to strictures of yours upon the Larceny Act; you have also mentioned once or twice the Summary Convictions Act; perhaps there may be some remarks in these charges which you have not read with respect to the operation of that Act?—The Larceny Act was only an extended one. This charge goes back for a great number of years, and it shows (perhaps in an extraordinary way) how the committals of children increased yearly as summary convictions increased, and summary convictions increased up, I think, to the year 1836; 1837 was the year when Mr. Hawes's Committee sat; every body was then for summary conviction, like quack medicines sometimes in repute. I was the only person examined before the Committee who was against summary convictions, and I was examined by mistake and it then decreased from that time up to the Simple Larceny Act. Summary convictions then went out of fashion, and the number of committals decreased; and then the Larceny Act was passed, and the number increased

increased again, and I find that the number continued to increase until two years; since that time I have never attended to it, and I do not know now what is the result.

1911. Mr. *Monckton Milnes*.] Will you be good enough to explain to the Committee, as distinctly as you can, your objections to the operation of the Summary Convictions Act in its practical operation upon the increase in the number of juvenile criminals?—Because it familiarizes them with crime. A magistrate sends a child for three days' imprisonment, and to be whipped in prison; the child comes out, and he tells all his companions that he has been there for three days, and that there is nothing in it. Many people also, who would not take up a child if they thought the child was to be tried by a jury, and to be sent to prison for some trifling act, think nothing of sending the child to be dealt with summarily; not remembering that a prison is a prison, and that the effect upon a child's mind is precisely the same whether you send the child for trial by a jury or to be dealt with by a magistrate; that the child equally becomes a gaol-bird in either case. This I take to be one great cause of the increase in the number of committals arising out of the Summary Convictions Act. If you saw a child taking from your larder a penny tart and eating it, you would never dream of sending that child to be tried by a jury, but you might send him to prison summarily for a day or two (I do not say you would, but you might).

1912. Sir *W. Jolliffe*.] Seeing the disadvantage of sending children for slight offences to prisons, do you not think that some reformatory school of some class or other might be hit upon or invented, to which the magistrate might have power, upon first conviction, to commit the children for a limited period?—I think not, unless the parents were to pay for the children when there; for of the desire to get children into that school there would be no end. I have no objection to any reformatory school you please which should be self-supporting, but let the parents pay for such school, and let the child then come back and be at home; but I would altogether object to its being done by Government, or out of charitable funds.

1913. Mr. *M. Milnes*.] Supposing the Summary Jurisdiction Act to be altered or repealed, how would you propose that these first convictions, or apparently first convictions, should be treated?—It is a very difficult subject, but I should say that anything is better than the present system. Let there be what I have called a boys' prison, or a boys' house of detention, and let the magistrates have power to commit there, and make every confinement not less than two months. I would not send the boy there for three or four days. What earthly good can such a commitment be to the boy or to anybody else? I would send the boy there for a certain period, and when he is there I would make the place excessively irksome and uncomfortable to him. If you ask me how I would make it so, I tell you that I cannot inform you half so well as a schoolmaster.

1914. Sir *W. Jolliffe*.] Would you accompany the imprisonment with corporal punishment; such as whipping?—I do not think corporal punishment any use in that respect. I remember the first day that I went to a public school there had been two successive holidays, and to my infinite horror I found that, although there were only 200 boys in the school, there were 220 boys to be flogged; my sons have been there since, and there are not a tithe of that number now flogged in the whole half-year; the whole system has grown out of date.

1915. Mr. *Miles*.] Do you not conceive that the imprisonment of a child is excessively detrimental to him?—I do.

1916. And that of course the shorter time he is in prison the better, as far as his moral condition goes, is it for him?—I do.

1917. Then when you come to consider, that except in Middlesex, a child may be imprisoned fourteen weeks before his trial, do you not think that that may be to him hereafter a great source of crime?—Not by what he may learn there, because I think our system of prison discipline is such now, that all the corruption arising from communication is put an end to.

1918. Would not that be rather in favour of summary conviction?—No; you would always have your jury still.

1919. Looking now at the number of juvenile offenders, of whom I have got a list here in the year 1851, I find that taking those who have been convicted upon trial, and those who have been summarily convicted together, they amount to 11,677, and that out of these, taking Middlesex, I find there were 3502, leaving

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ing of course a very large proportion that have been convicted either summarily or upon trial in the country. Therefore in any plan which is brought before us here, we must not only consider Middlesex, but the whole of the country. I understand that what you have recommended now, you only wish to apply to Middlesex; why would you not apply it to the remainder of the country?—Are you quite certain that you are not under an error in using the term juvenile offenders, as being the species of juvenile offenders we are speaking of here? I have limited all these observation to children not exceeding 13; I think you will find it takes the age of 17.

1920. Sixteen?—If you take the different ages, you will find a very small portion indeed of children under the age of 13, except in the metropolitan district, or in large towns such as Birmingham, Liverpool, and Manchester, where the system might be, in the course of a few years, applied as it is applied in the metropolitan districts, though I think you are hardly ready at present to carry that out.

1921. Then I understand you, that although you would be enabled to carry out your recommendations beyond Middlesex, you would not immediately so carry them out elsewhere, but you would hereafter?—I never like to put out my arm so far that I cannot put it back again if necessary. I find that all institutions do best that are begun upon a small and imperfect scale, and that then they work themselves out.

1922. I understood you to be unwilling to give to the magistrates sitting in the country, the power of sentencing these children who have been convicted to a conditional sentence, such as you would allow to judge or recorder?—Not conditional.

1923. I am afraid it is down so?—Oh, no! A sentence with a condition that forms no part of the sentence; that is what I mean.

1924. Because at present they have the power of sentencing on a second conviction, or upon a summary conviction under the Larceny Act being proved in Court, they have the power of sentencing to seven years' transportation, have they not?—The Courts have. We must distinguish between magistrates and courts; we must distinguish as between the two. When it comes to be a court of quarter sessions, it is quite another matter.

1925. Then you have not the least objection to courts of quarter sessions exercising the same power as you would give to Middlesex magistrates?—I am not prepared to say that.

1926. If not, why not?—I do not think there are cases enough. I should doubt at present giving such a great power over the whole country. It may be a prejudice in favour of my own profession.

1927. But they have the power now of sentencing to the penal sentence of seven years' transportation?—Yes.

1928. If by any process of law you alter this extreme penal sentence, and instead of effecting the immediate transportation, make it ameliorative as to the condition of the convict; would you not give them the power of amelioration?—You have entirely mistaken my answer. I give the judge in the metropolitan district no power whatever. He has the power to sentence to transportation; the magistrate in the country has the same power. The Queen's conditional pardon will operate in both cases, and the powers will be the same in both cases.

1929. I was quite sure I must have misunderstood you?—Yes, and I misunderstood you before, and thought you intended that it would be simply the recommendation of the judge of quarter sessions.

1930. The difficulty appears to you as to juvenile delinquents brought up before magistrates upon a first or second petty offence; and although you do not hesitate to recommend a great enlargement of Ragged Schools and likewise Reformatory Schools after conviction, yet I understand you are in a dilemma as to those first small offences, when the children are first brought before the magistrate?—Yes; and still more as to destitute children. The Children's Friend Society extended itself not merely to convicted children, but to destitute children, and it took in all destitute children as well; and it was doing infinite service with respect to those destitute children. But I do not think they can be made the subject of a legislative enactment; I am afraid not.

1931. Then would you not treat destitution more in the way of Ragged Schools than any other, by taking the children away from the streets, and in some way bringing them into Ragged Schools, where they should, being perfectly destitute, without

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without father and mother, get in some way mere sustenance, and be kept out of mischief's way by maintenance?—I have not the slightest objection to the establishment of as many schools as private benevolence can create, or to being myself, as far as my humble means will allow, a subscriber to each of them, which shall have solely for its purpose the educating and providing for children who have not been convicted or brought before a magistrate for offences, but who are entirely destitute. It appears to me that these children form a legitimate object for private charity to its utmost extent; what I object to is, that crime should be the premium for education.

1932. Do you not think that it would assist most materially in these schools if Government, under an educational grant, were to give a certain sum of money in proportion to the sum of money subscribed to these Ragged Schools, and for their maintenance; placing them at the same time under inspection?—You are asking me rather as to a mode of legislative provision. I believe that all money given by Government is likely to be advantageous; but the particular mode of giving the money I must leave to those who have M.P. attached to their names.

1933. As to the Larceny Act, would you recommend any alteration except its repeal?—I would recommend any alteration that could be made, and its repeal in preference to any other. I think it perfectly inconsistent with the first principles of English justice; on this I will say I have now tried above 20,000 prisoners, and I find in spite of myself that my mind will get into a certain track, and unless I had the jury at my right hand, and the bar at my left, to keep me in order, I fear that I am now a great deal too hacknied to do justice as I ought to do. I would give absolute power to no man living.

1934. Mr. *M. Milnes.*] In the case of the establishment of a boys' prison, would you then think it advisable that the cases for which boys were sent to this prison should be tried before a jury?—No; I should say there, of two evils choose the least. I would not even call it a prison; I would call it a house of detention, or a house of protection; and then I think that is a power with which magistrates can safely be entrusted.

1935. What do you think would be the effect in public opinion upon the character of those boys who were committed to such an establishment?—I think the commitment would be entirely forgotten. I would not call the place a prison; and I would make it so that the public would look upon it as though the boy had been sent there for being naughty.

1936. Would you be inclined to connect this boy with any process of education?—He would be there too short a time to learn much; he might learn his alphabet.

1937. Would you limit the number of times that a boy must be sentenced, so as to prevent his continually coming there?—Yes; if you do not do that you would at once destroy the character of the place. All this is very imperfect, perhaps it is crude; but it is so difficult practically to meet all these things, and therefore, I think, we are scarcely ripe for any grand legislative enactment.

1938. Does your experience of juvenile crime of this metropolis incline you to think that the quantity of it is larger than would naturally arise from so large a multitude of persons being collected together?—My opinion upon the subject is not perhaps worth much; but my opinion is, that it is not larger, and that the evil is more deeply seated than it is extensive.

1939. Would you then say, that whatever measures we take upon this matter, we must always expect something like this large amount of juvenile crime in this metropolis?—No, I think not. I think that, as you ameliorate the condition of the poor, crime will certainly decrease; but I should look for its ultimate decrease more to the extension of morality amongst the lower classes than from legislative enactment. I am looking more to the preservation of the particular individuals by these remedial schools, &c., than I am to general consequences; I look forward, as I said in the first part of my evidence, for wider and more extensive measures hereafter. I am confident, for example, that the improvement of the habitations of the poor and the extension of religious education will have good effects; one daily sees practical proofs of this. I take it that all society rises together, and any person who has now attained my age, and who can look back, as I can do, to a memory of half a century, will have seen such a change in the habits and manners of this metropolis as must satisfy him how much education has advanced, and how much religion has advanced.

1940. But notwithstanding all these improvements, and the certain lengths to which

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which we have gone, do we not find that juvenile crime has rather increased than diminished in proportion to adult crime?—I think not. I think you will find that we have inquired a great deal more into it. Look at insanity, for example. When I first became a visiting justice at Hanwell, I was sanguine enough to believe that I could make Hanwell large enough to take in all the pauper lunatics in Middlesex. I got it to hold a thousand. That was only above 10 or 12 years ago; there is now a second asylum that holds 1,400, and that is full. Who will say that lunacy has doubled in the course of eight years? So it is with all other things. You are now searching into all these matters, and when you begin to search into any cesspool, you at first produce everything that is wretched and filthy. You must go through that process.

1941. Sir *W. Jolliffe.*] I think the result of your long experience has been, that something in the nature of a boys' prison or detention might be established in the metropolis, as a Government institution?—I think it might be advantageous to do so. It should not be called a gaol. It should be adapted for boys; no heavy gratings, and irons, and all such things, about it; I would make it a place to punish naughty boys in.

1942. And it might be useful, with regard to the administration of justice, for trifling offences and for first convictions?—I think so.

1943. But with regard to reformatory schools, you think that they should remain in the hands of the individuals who propose them, as far as the management goes, and that they should only be encouraged, and to some degree supported, by aid from the Government?—At present; I do not limit it to hereafter. At present I think that would be the better course. I think we are yet too inexperienced in what ought to be the system, to venture to recommend any Government plea.

1944. That also is the result, probably, of your mind being impressed with the great value of the voluntary principle with regard to such institutions?—It is; and with the parental character of them. The interest that individuals take in these children no Government can take.

1945. So also with regard to the ragged schools, you think that there it would be very difficult for Government to interfere to any very great extent; because, by making it a Government establishment, you would not only withdraw the individual anxiety with respect to such institutions, but also that enthusiasm in the manner of treating these unfortunate children, which is so useful in their reformation and for promoting their future good conduct?—My opinion is, that any interference of the Government at this time, and I always limit to the present time, would be actually mischievous. I was present at the Ragged School Meeting about 10 days ago, at which Lord Ashley presided. Exeter Hall was crowded at eight o'clock at night with evidently all individuals, not of the lowest classes, but of what I should call the lower part of the middling classes, all of whom seemed to enter into the subject with the greatest possible interest. I would leave that, at the present, quite alone.

1946. Mr. *C. Legh.*] I understood you to recommend that a Government establishment should be in London; do you mean in the town as to the boys' prison; do you not think it desirable that it should not be in London?—As far as health is concerned, perhaps it should not be in London; but as the boy is to be locked up, it does not signify.

1947. You would have him locked up?—Yes. I would give him no comfort whilst he was there.

1948. You would not give him industrial labour whilst he was there?—No. I would have him go and say to his friends, "I don't like to be there; it's a nasty place."

1949. With regard to the reformatory schools, do you think that short commitments to them would be likely to be effective?—Certainly not. If they go to the reformatory school, they must go till they are reformed, and they must take it with all its consequences.

1950. In that case, it would be necessary, would it not, to commit children to these schools for a much longer time than they are at present authorized by law to be committed?—You are not authorized by law to commit children to reformatory schools at all. The operation of my view is simply this: The child is tried by a jury; he receives a sentence of seven years' transportation; he receives a conditional pardon, and if he conducts himself well on being sent to the reformatory school, he is sent out of the country to a colony. That is the whole amount.

1951. Then,

1951. Then, practically, the commitments to these reformatory schools you would confine to such as were transported?—Yes. I would try the effect of that system for a few years to come, and see how it worked. You can enlarge it whenever you please; there would be no difficulty in that.

1952. Then what suggestion would you make with regard to these juveniles that you wished to reform, that were not transported for seven years?—I should know no medium there. Whether you would give them a longer imprisonment or not, that would be a mere matter of detail.

1953. In fact, the sentence upon a juvenile would be seven years?—At present; but you can easily alter it. Perhaps it is well that it should be.

1954. I understood you to say that your suggestions were confined principally to the metropolitan district; are you not of opinion that there is a vast mass of juvenile crime of a perfectly similar nature in the other districts of the country, such as Manchester, Liverpool and Birmingham?—I have already said that I consider that Manchester, Liverpool, and those large towns, would in the course of time fall into the same category with the metropolitan district; but I would not begin with it now. I have very great doubts about the agricultural districts. Some years ago, I went over the Maidstone Gaol, where I saw an instance of what is called classification. I was shown into a classification of children, boys, youths, juvenile offenders, who stole fruit; and there I recognized a vast number of my old acquaintances, who had been stealing from the markets at Deptford and other places. I saw a little urchin, about 10 years of age, and I said, "Who is that boy?" "Oh," said the gaoler, "he has been committed by the county magistrates for stealing damsons." He had got over a garden wall, and got a hatful of damsons, and had been sent to prison for a month. I said, "You put that boy, with your classification, with the most notorious young thieves in the neighbourhood of London. You will ruin that boy if you don't take him away."

1955. Are you not of opinion, that in the rural districts there are a number of juvenile criminals, in consequence of the metropolitan police having turned them out of the metropolis into the country?—No; they cannot live in the country; the country police has, I take it, increased the apparent number of offences.

1956. I am speaking of the agricultural districts?—No; those boys cannot live in the country.

1957. You are aware that there has been a considerable quantity of this nature of crime in the agricultural districts?—Yes.

1958. Would you recommend the same kind of reformatory treatment to be adopted in the agricultural districts as in the other districts?—I should hereafter, but not at present.

1959. Then you do not concur in the opinion, that it would be a good thing to have reformatory schools in the country?—It would be, perhaps, but not now; you had better leave that a little while longer. There may be more sanguine minds than mine; those institutions, I find, flourish most which commence at first imperfectly; grand institutions always fail.

1960. With respect to ragged schools, do you not think that one of the primary causes of the number of juvenile crimes in the metropolitan and in the manufacturing districts, is to be attributed to the neglect of the children by their mothers?—Very much so, no doubt.

1961. And that it is to be attributed, in some degree, to the inadequacy of the living houses?—Yes.

1962. The children being obliged, as it were, to live in the streets?—Yes; no one can walk through the crowded metropolis without seeing that fearfully.

1963. Do you think, therefore, that additional accommodation for the poor would materially lessen the quantity of crime?—I am confident of it; it is an old saying, that "Cleanliness is next to godliness."

1964. Mr. *Adderley.*] The question is, which comes first?—I am very much inclined to think that cleanliness is a great step to it.

1965. Mr. *Cornwall Legh.*]—You are aware that, in ragged schools, some boys have been employed as boot and shoe cleaners in the metropolis?—I have not attended to that subject; I take it that that is a very good experiment, but it will not do as a system at all to produce any great effect.

1966. Do you not think, if employment could in any way be found for these children, that it would decrease crime?—Yes, to quote another old proverb, "Idleness is the parent of all vice."

1967. Mr. *Fitzroy.*] With reference to the schools or prisons, or whatever you call

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call it, do you reckon that separate confinement would be a very important feature in the establishment?—Certainly, to a certain extent I would have that; because I have no fear of separate confinement for a boy who was to be sent out again after the punishment was over; and I take that to be one of the most irksome things to a boy. For myself, I would, when a child, far rather be flogged, than be shut up in confinement for two or three hours together.

1968. You would detain the children in these establishments as short a time as to be enabled to make the system rigorous enough to deter them without affecting their health?—Yes; that is the best mode that I can devise at present.

1969. You are acquainted with the system at the Westminster Bridewell?—Not thoroughly; not so well as yourself.

1970. You are aware that that is what is called the silent associated system?—Since it has become a boys' prison I have lost sight of the discipline which is adopted there entirely.

1971. Assuming that silence forms part of that system, do you think it would be very useful to separate the boys at night; to give to each of them a separate cell?—I think it would be desirable.

1972. Do you think that the system of lodging a great proportion of them in dormitories is very prejudicial to the moral influences that may be exercised over them during the day?—When I was at Parkhurst, I found that all the boys under a certain age were lodged in one great dormitory.

1973. *Chairman.*] When were you at Parkhurst?—Some years ago. I was then told that those boys were the most troublesome to deal with at night, that they did not know what to do with them; that the boys were getting out of bed, and jumping up to look over the partitions. "Boys will be boys," I said; "they will play all they possibly can."

1974. Mr. *Fitzroy.*] Do I understand that you would think it an objection to sentence a boy for a short time to one of our existing gaols with a view to removing him afterwards to a reformatory school, that you would think it essential to erect a building on purpose to put him in this probationary system?—No, it is not those boys. My object is, if I can, to separate them from being in prison; that they should not go to prison at all; that it should not be said that they were in prison; the same that apprentices are, in the city of London, sent to a place; that you should send them in that sense.

1975. I understood you to suggest, that the best system would be to send all boys, when they were convicted for a short time, to this more rigorous system of imprisonment, preparatory to sending them to the reformatory institution?—No, not to send them there; you were then asking me with respect to whether they should go to a reformatory institution at once. I said I would subject them to a rigorous discipline before I sent them there; I said that I thought that was a less evil than sending them to the reformatory institution at once; but I spoke of their prison itself.

1976. In fact, you think it impossible to combine a system under the same roof which will deter and reform?—I think so; as far as children are concerned, their only object can be to get out of prison.

1977. Was any coercion used, are you aware, in the establishment at Stretton-on-Dunsmoor?—No coercion beyond giving the boys a flogging now and then.

1978. You are not aware of the numbers there?—I do not know whether I have got it here or not, but I could get it for you.

1979. I will not trouble you; but in the event of these reformatory schools being more generally adopted, and consequently a greater number of boys being congregated in the same establishment, do you think that the system will be likely to break down?—I do not see why it should.

1980. Do you think that the same moral influence upon which the whole system turns, could be exercised over large numbers of boys, as can be exercised over comparatively small numbers?—I do not see why it should not, it is so in all our own public schools; if not, you can have two schools instead of one, and keep them separate; for myself, I do not see any difficulty in it.

1981. You have not turned your attention, perhaps, to the number of boys which you would suggest, should be kept in the same establishment?—No, I have not; I should think Mr. Sidney Turner's opinion, or the opinion of those who have been more practically engaged in it, would be extremely valuable, but my opinion is of very little value indeed.

1982. With reference to another point, as to the liability of the parish for the maintenance

maintenance of the child: in the event of the parent being unable to maintain him during the time of imprisonment, you would suggest that the parish should first become liable, with power to recover from the parent?—Yes.

1983. Do you think that it would be quite just to lay a burden of that sort on the parish in the cases of children who have not been liable, and who therefore have not been in any way subject to the controul of the parish?—Then the parish must allow it.

1984. You are aware of the manner in which these poor people often live, in a manner perfectly incomprehensible to us, and which leaves them with but a small sum of money to support themselves; do you not think it would be impossible to make them pay?—No; I rarely ever remember, upon inquiry, that the parent is not in the receipt of good wages; it is very rarely the case indeed, and I think that the burden on the parish would be so very small, that it should not stand in the way of enlisting the interests of the parish into the preservation of good order and morality.

1985. Would you have a discretionary power with the judge to decide what portion, or proportion rather, of the maintenance of the child should be borne by the parent?—Yes.

1986. You would not saddle the parent with the whole?—That would depend upon circumstances; it would be a very small sum; it would be 2 *s.* or 3 *s.*, or half a crown a week.

1987. How long would you charge it; for the whole extension of the time that the child was there or not?—That would be going more into details than I am prepared to answer; I have not looked into the subject sufficiently to enable me to tell that, and I should be very sorry to be committed to an opinion upon that subject; I have not considered it enough.

1988. Would you approve of the proposition which would at once abrogate the right of the parent over the child after a certain number of convictions?—You are asking me a very deep question now, which the Lord Chancellor himself is scarcely able to solve. You know when you convict a child, you do at once take him from the parent; undoubtedly he is no longer then under his power, therefore that may answer the question.

1989. Then do I understand you to look upon expatriation as the necessary termination of this reformatory system? Do you propose to send any of these children back from these reformatory institutions to their homes, or do you think it necessary that they should all be expatriated?—Absolutely necessary that they should all be expatriated.

1990. Then of course I need not ask you, because it follows, as a necessary consequence, that these boys would only be in the House of Detention once?—You mean in the reformatory school.

1991. When a boy is once sent to a reformatory school, you propose that he should be expatriated?—Yes.

1992. The consequence is, that he could only be in the House of Detention, which is the preparatory step towards the reformatory school, once in his life?—No, but he might be in prison two or three times; he may come to prison once, and that may not oblige you to send him to the reformatory school. I would say, "If you go to the reformatory school you shall go abroad, and you shall never go to the House of Detention more than once." I must not be understood as being committed to this as an absolute opinion, but merely from the consideration I have given the subject up to this time. You should not come to the second unless you have gone to the first; I do not say that the first is the stepping stone to the second, but you must pass through the first to go to the second.

1993. Mr. *Adderley*.] Do you not conceive that the difficulties of this subject are much greater now than we may anticipate they will be hereafter, owing to the mass of children who have become criminal under the present system; when they are once cleared off, we may hope the difficulties of the subject will be much less?—I believe that the difficulties of the subject will lessen as they become more and more practically grappled with.

1994. You do not suppose that if such a system as you now suggest had been in force for one generation, that there would be that class of really corrupt and depraved children that we have to deal with now?—Oh dear no. As long as you have any cesspools and drains, and let them alone, they will be quite inoffensive, but the moment you begin to clear them you move everything disagreeable, at first so much so, that you are half tempted to give the thing up; but when you

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do get the fresh water to flow you have no difficulty as to the stagnation again. We are now making inquiry into all the lower orders who have been neglected up to this period.

1995. With respect to the juvenile offenders there is a very great distinction, in your mind, between those who are really depraved, vicious children, and many who have come within the cognizance of the law, who are not so vicious?—My own opinion is, that a great number of these children are by no means vicious by nature, more than our own children are. But how is a child to know right from wrong, who is never taught its duty either to God or man?

1996. Are there not many cases of these children to whose offences you attach no idea of criminality whatever?—I believe that many of these children do not know the meaning of the term criminality.

1997. I allude to cases of very young children, of very vicious parents, who have really no idea that they are committing a crime?—If you read my charge to the grand jury, you would see an illustration of this. The children are taught to thieve, they are taught to steal, and their only notion of their duty is to thieve and steal.

1998. With regard to these very young children, victims of corrupt parentage, how would you justify, in your own mind, sending such cases to prison at all?—You will observe that, in all I have said, I have spoken of a choice of difficulties. There is a great deal to be taught the child, and you must give it something which may ensure its gratitude, in the first instance, and send it to prison afterwards. They would feel the school then to be a relief, and become attached to it.

1999. As was done in the militia, you would flog the men to make them join the army; you would give these children a disagreeable life in order to make them enjoy the subsequent one?—If the child, in my opinion, would flourish better afterwards, I would give it to him.

2000. Would you not injure the child by sending him first to prison? Would you not necessitate a process of corruption in the child's mind before you would commence reforming it?—I do not say that. I never said it would make the children worse. If you send a child out again from prison, to go and boast again to his neighbours that he has been in prison, and does not care a farthing about it, you do mischief. You will remember that, when I am saying this, I am speaking of the opinions of those who have tried the thing practically; and who say that they have been better able to deal with children who, before they were sent to them, had been kept in prison two or three months.

2001. However short the term of imprisonment, and however perfect the system, do you conceive that it can be otherwise than injurious upon the child's mind?—I think so. It may be injurious in itself; but if the effect of it is to make the boy more tractable and more obedient when he comes into the school, then it may do him good, and you will remember that you may by degrees even get rid of that.

2002. You do not seem to contemplate such an alteration of the law as would do away with the sham sentence of transportation for the purpose of sending children to reformatory schools?—I only do that because it is not my province. I am speaking of the law as it now exists.

2003. Do you not see very great injury in passing sentences which are known to be unmeaning sentences?—I think so; but I am not in Parliament. I quite agree with you there; I never do pass a sentence of transportation upon a juvenile offender, to use the phrase of the day, but I invariably say to the jury, "Remember, gentlemen, this sentence is not intended to be carried into effect; it is only to enable the child to be sent to Parkhurst."

2004. Then do you not consider that a most mischievous state of things?—I consider it would be much more mischievous if I did not let them know why I passed the sentence.

2005. I do not think you stated your reasons for considering ultimate expatriation a necessary part of the system of reformatory schools?—I will give you an illustration of my meaning. Sometime ago I was talking with a friend upon the subject. He said, "I have had an odd illustration of your principles but yesterday. A very honest man came to me with eight children, and asked me for a job of work which would last him through the winter." I said, "I am sorry I cannot give it to you, but I have given it to a man who has come out of the House of Correction, where he has been for the last 12 months." "Ah, Sir, said

said the man, with tears in his eyes, I have not that recommendation." If you have not work enough for the honest man, why give it to the criminal? If you have not funds for apprenticing the child of the honest man and the child of the criminal both, then you have to give it to the child of the honest man. He is to have the preference.

2006. But supposing the outlet to the colonies turned out to be the greater prize of the two, would you not reverse that system?—No, I would not, because I doubt whether it could be so.

2007. Do you not conceive that there is a very great difficulty in the enormous expense and the distance of such a scheme of punishment?—Yes; but it is a difficulty, I think, that has been surmounted, and may be surmounted again.

2008. But you would at all events make it a *sine quâ non* that the child should complete his education by going to the colonies?—Yes; my opinion upon that subject, whether right or wrong, is immoveable.

2009. When you said that you thought the subject was not ripe for legislation in England, and that blunders should be first committed in the tentative process of voluntary contribution, do you mean, by giving that opinion, to state that you consider that none of the models of reformatory schools at present set up are to be imitated?—I think you have mistaken my words. I did not say so many blunders "must" be committed, but "would" be, which makes the whole difference. I do not think any system can be, like Minerva, born ready-armed, but that we must creep before we can go; and at present we are in a state of childhood. The work at present is but the beginning; and although I hold that Redhill is a great improvement upon Stretton-on-Dunsmoor, I have no doubt that in three or four years Red-hill will be a great improvement upon itself.

2010. Then you do not consider that any attempts in England or in foreign countries are sufficiently ripe for imitation?—I am not acquainted with those in foreign countries; I only speak from what I have yet seen. The system of the Children's Friend Society is now adopted at Red-hill, but I would rather that the thing was more extended by private benevolence; I would rather that the thing was more, to use a common expression, practically ventilated, than a great scheme attempted where money would be thrown away upon buildings and offices, because then we should have all kinds of systems upon a grand scale without any head. There is personal responsibility attaching to every individual of a committee who sets to work; he knows that he is conducting the thing under his own management, and that he is advancing its objects himself.

2011. Although we may not be ready for the establishment of State institutions, is there not immediate legislation necessary for the individual experiment that you propose?—I think that may be so.

2012. Then some immediate legislation you contemplate?—I think, if you will give me a little money, and leave me to put the clause in the Parkhurst Act into operation, and let me select twenty or thirty men, which I could from the metropolitan districts, as a committee to manage it, that I would soon get up a school that would get into active operation.

2013. Although I should have perfect confidence in your men, do you suppose that Parliament would have confidence in them?—I cannot control the feelings of Parliament.

2014. Of course Parliament would require that certain public inspection of the institution, or public surveillance, should be given?—That I have already stated.

2015. With regard to the Children's Friend Society, of which you seemed to speak rather approvingly, you stated that they deal with destitute and criminal children there?—No, it is at an end.

2016. But they did do so?—They did do so.

2017. Do you see any objection to such institutions as you propose seeking to do the same?—Yes, I do; I think the only objectionable part of the Children's Friend Society was the attempt to combine those two objects, it was one of the errors from the commencement. It did not strike me so at first, but it did as it went on, and I am glad you mention that, because it shews the mistakes we may fall into.

2018. What was the objection to it?—It was mixing destitution with crime. When you come to look at it, you will find that they treated the destitute and criminal children the same.

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2019. Is it not notorious that in the ragged schools in London a great proportion of the children live by thieving?—No doubt it is so.

2020. Then in these schools there are notoriously criminal and destitute children combined?—Notoriously in one sense, but not so in another. There is no actual knowledge that they are criminal. They do not say, "We admit you because you have been a convicted criminal, and you because you have not been so." These children, for aught I know, may have committed offences; but it is not known in the world.

2021. Would it be part of your contemplated plan that the schools for criminal children should provide an inferior kind of education to avoid their being an inducement to dishonest parents to send their children there?—The education I should have would be an industrial one.

2022. But would it be of an inferior description, so as to be less instructive?—I do not understand that question.

2023. Would the style of instruction be of a lower standard?—I do not know how you would get a lower standard, because they will have to be taught to read and write, and arithmetic. They would have to read their Bible, and they would have to be taught their religious duties; and I would teach nothing beyond that.

2024. Should you contemplate the possibility of Government prizes being carried by the scholars; I mean the prizes offered by the Committee of Education?—I would not allow them to have anything to do with it. I would keep the children down to what they are; they are there to receive an industrial education, and then to be sent out and made good colonists. As to prizes, let them get them when they have got to their destination, if they can.

2025. I am afraid you have a very low idea of a colonist?—No. I think you send them there to be useful working colonists, and you do not want to educate them in this superior way.

2026. *Chairman.*] Can you now give the Committee information with respect to the two boys whom you mentioned before as having gone to Red Hill?—Yes; since my former answer I have had a communication with Mr. Turner, and I find that the last boy, Joghill, is still at Red Hill, and doing very well, and that the boy Miller was not sent there.

2027. Mr. *Adderley.*] When you proposed separate schools for destitute children, what sort of test of destitution did you propose to yourself?—I cannot define any test; I should say a child who has neither father nor mother nor any friends, is a destitute child.

2028. Poor orphans?—Poor orphans.

2029. Mr. *Miles.*] Deserted children?—Yes.

2030. Mr. *Adderley.*] You think that such a test could be arrived at without the risk of imposition?—No test that is put in writing could be arrived at without risk of imposition; your only test can be the good sense and experience of the party who is to test, and it can be done in no other way, as it seems to me.

2031. You seem to think that the suggestions which Mr. Recorder Hill and Mr. Paynter have made, as to taking sureties from parents as to the good behaviour of children, would be found to be impracticable; will you be good enough to state why you think so?—It would not be found to be impracticable, but it would be found to be useless.

2032. *Chairman.*] The witnesses have suggested at the same time the simple way of enforcing it, the estreating of the recognizances; they propose that it should be done by a proceeding before a magistrate instead of going into the Court of Exchequer?—When you have done so, what have you done? You have sent the parent to prison instead of the child; and when you have done that, you have done nothing at all; the recognizance is a mere *brutum fulmen.*

2033. Mr. *Miles.*] Originally it was contemplated to introduce a clause, giving the power to the magistrates before whom the child might be brought for summary conviction, to take recognizances from the parent, but it was found upon inquiry to be so absolutely useless, that it was rejected, was it not?—There is a clause in the Bill for making compensation.

2034. *Charman.*] Has your attention been drawn to the clause in the Summary Jurisdiction Bill for making compensation?—Yes; it was drawn to it today.

2035. Do you wish to make any observation upon it?—I never could see its applicability; and I believe it to be perfectly inapplicable.

2036. Mr. *Adderley.*] You rather proposed, I think, making parents, in some cases, chargeable for the expense of their children?—Yes.

2037. Do you not see the same difficulty in getting such money out of them?—Not at all; because I would make the remedy the same as when a man deserts his wife and children.

2038. The other proposition would end, in many cases, by putting the parent as well as the child into prison?—No; there is this difference: in the one case it is an order for the payment of half-a-crown a week, which the man can pay; in the other case it is a sum of 20*l.*, which he cannot pay.

2039. The recognizances were proposed to be much smaller sums than have been hitherto contemplated, such as half-a-crown, five shillings, and so on?—Does it not almost stand to reason that we should be playing at marbles with the science of legislation, when we talk of making a parent enter into a recognizance of 5*s.* for his child's good behaviour?

2040. *Chairman.*] Upon casting my eye over the evidence which you gave before the Committee of the House of Lords, I find there are some subjects upon which you have not touched to day. May I ask whether you have seen any reason subsequently to alter, or in any way modify, the conclusions which you stated to that Committee in the year 1847?—I cannot say that I have.

2041. There is one answer to which I should like to draw your attention. In speaking before the Committee of the Lords with respect to the causes of juvenile crime, you say that the unnecessary exposure of goods by tradesmen very often created a temptation which led the child into crime; and you suggest, with respect to that, a legislative provision as to casting part of the costs of the prosecution upon the tradespeople who did so unnecessarily expose them?—I have purposely abstained from alluding to that point to day, because I consider that a cause of crime generally, and not a cause of juvenile crime only.

2042. Does it not also apply to juvenile crime?—Yes, it does; and experience confirms me in what I then stated, and I scarcely ever have a sessions pass in which either from the grand jury, or in some case before the petty jury, they do not tell me of the temptation arising from the exposure of goods.

2043. I will now remind you of an answer before the Committee of the House of Lords, and ask you whether you still retain the opinion which you expressed there: "It has sometimes occurred to me, that if a power was given to the judge to order the costs of the prosecution to be paid by the owner of the shop where the goods are exposed at the door, it would check the practice. The refusal of costs now is worse than ineffectual; for it rarely happens that the shopkeeper himself is bound over, and consequently the refusal only mulcts the innocent parties who have detected the robbery?"—That answer is stereotyped in my mind, for there is scarcely a sessions in which I have not occasion to repeat it, and I have always the assent of every body who hears me, but it is not carried into effect.

2044. But, however, you retain the opinion which you there express?—I retain that opinion. I have no question about it.

2045. I observe, that you put in before the Lords' Committee, a "Report of the Committee of Middlesex Magistrates appointed on the 9th of April last (that is 1846) to consider the means to be adopted for checking the growth of juvenile crime, and promoting the reformation of juvenile offenders." Have you now a copy of that Report?—I have not, but I dare say a copy might be had at the Sessions House.

2046. Probably it is printed in the Appendix to the Report of the Lords' Committee?—Yes; it is in the Appendix to the Report. Allow me, before I conclude, to hand in the Report to which I have alluded once or twice, of what they are going to do in the Westminster House of Correction; but I understand that the execution of this project is suspended for the present.

2047. Do you wish to put in that Report as part of your testimony?—Yes.

2048. You have alluded to the Report of the Visiting Justices of Westminster, of the 21st February 1852; have you a copy of that Report?—Yes.

2049. Will you hand it in?—Yes. Appendix, p. 438.

2050. Sir *W. Jolliffe.*] With regard to the increase of crime in the metropolitan district, a very great change has taken place, of late years, in the manner in which spirituous liquors are sold, has there not?—Do you mean in the mode, or quantity?

2051. The mode of sale.—I was not aware of that.

Mr. Serjeant *Adams.*

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2052. Are not the places which are appropriated for the sale of spirituous liquors made as attractive as possible?—Oh! yes.

2053. In that respect, a very great change has taken place within the last 25 years?—No doubt of it.

2054. Do you think, that that, combined with other causes, may have had a tendency to lead to intemperance, and to increase of crime?—No, as far as I can understand, but I do not speak decisively upon the subject, the use of spirituous liquors is decreasing.

2055. Probably you do not think that spirituous liquors are more indulged in by the female portion of the community?—No; but it is a crying evil in the female proportion of the metropolis. I think the crime of drunkenness is on the decrease rather than on the increase, but the police are better able to speak upon that subject than I am.

2056. You think with regard to females, that the habit is not more prevalent than formerly?—I have had scarcely any experience myself upon the subject, but I do not think it is so; I think the conduct of the people gets better.

2057. Mr. *Adderley.*] What should you say to children, such as those of whom we have been talking, being brought up before magistrates upon charges not of definite crime, but upon general charges of being known to the police to lead an idle and vicious life?—I cannot give the sanction even of my humble opinion to anything so perfectly theoretical as that seems to me.

2058. As to theoretical, are you not aware that it has been the habitual practice for many years in America?—Yes, but America is not England. I call it theoretical, and I should like to know what its effects are. A thing, to be useful, must be consistent with the habits of the nation, and the customs of the nation to which it is applied; I believe that it would in England produce nothing but hypocrisy and mischief; I have differed with Mr. Hill totally upon that subject.

2059. *Chairman.*] Since your attention was drawn to the subject of the conditional pardons, in the early part of your evidence, have you received information by which you wish to qualify the answers which you have given?—I have.

2060. Be so good as to state it?—I rejoice to say that I understand that the clause in the statute of Victoria has again ceased to be a dead letter and is now in active operation, and the mode by which the children are sent from the prisons to the reformatory schools.

2061. Does your information lead you to conclude that it is not only in active but also in beneficial operation?—I have no doubt that if it is in active, it is in beneficial operation.

Veneris, 11° *die Junii*, 1852.

MEMBERS PRESENT.

Mr. Baines.	Mr. Sidney Herbert.
Mr. Cornwall Legh.	Mr. Tatton Egerton.
Mr. Monckton Milnes.	Mr. Monsell.
Mr. Adderley.	Mr. Tufnell.
Sir W. Jolliffe.	Mr. M'Cullagh.

THE RIGHT HON. M. T. BAINES, IN THE CHAIR.

Gilbert Abbott A'Beckett, Esq., called in; and Examined.

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2062. *Chairman.*] I BELIEVE you are a Barrister at Law?—I am.

2063. And also one of the magistrates within the metropolitan police district?—I am.

2064. At what court do you sit?—At Southwark.

2065. Have you turned your attention to the subject of juvenile offenders?—I have.

2066. You are aware of the objects of the inquiry of this Committee?—I am.

2067. With reference to those objects, can you furnish the Committee with any suggestions for the improvement of the present system of treatment of juvenile offenders:

offenders; I would rather that you should give them in your own order, as they have occurred to you?—My consideration has been rather given to the causes than to the treatment of juvenile delinquency.

2068. With reference to the discovery, probably, of the means of prevention?—Exactly so.

2069. The Committee would be glad to hear your suggestions upon that point?—I think that a considerable amount of juvenile delinquency is caused by the neglect of parents, and I think it would be extremely desirable that some responsibility, legally enforced, should be thrown upon parents.

2070. Of what nature?—I would say that they ought to be, in all cases where they have the means, made to contribute towards the support of their children when in prison, because the parents of honest and industrious children are responsible for their support; and as delinquency at a very early age is almost in all cases, I think, the fault of evil training or neglect, or want of training, I think there is no reason why the fact of the children being criminal should exempt the parents from the liability to their support.

2071. So that upon conviction of a child for any offence, you would suggest, probably, an order to be made by the court convicting him, which order should be capable of enforcement against the father?—I would.

2072. Would you give, then, a discretionary power to the court to make that order, or would you render it imperative upon the court, in the case of a conviction of a child, as a matter of course to make that order upon the father?—I should much rather say give a discretionary power, because there may be cases in which, if it were imperative, it might operate harshly.

2073. You would give a discretionary power to the court to make that order, and you would give a discretionary power as to the amount which the father ought to pay, having reference to all the circumstances of the case?—Exactly so.

2074. Supposing the order to be made, how would you propose that it should be enforced; by a proceeding something analogous to the case of bastardy?—Yes, by distress; and there being a return of "No effects" to the distress warrant, would seem to show certainly an inability on the part of the parent, which would render it harsh, perhaps, to imprison.

2075. His inability might be occasioned even by fraud on the part of the child?—It might; I was about to add that.

2076. Would you leave it to the magistrate, upon a view of all the circumstances of the case, to proceed further to enforce the order by means of personal imprisonment?—I would say let him have a discretionary power; I would not render it positively imperative, after there had been a distress warrant, that there should be a commitment to prison.

2077. You would give a discretionary power to the magistrate, which he should exercise under all the circumstances of the case?—Yes.

2078. That is your view of the mode of enforcing it?—Yes. One of my reasons for saying that I think that parents should be held liable for the support of their children is, that I am sorry to say that I think in many cases the delinquency of children is caused, not simply by the neglect of proper training, but by the actual instigation of parents themselves.

2079. You have heard painful cases of that kind, I presume?—I have.

2080. Have such cases been numerous?—They have not been numerous, but still they do occur. There is also a very strong disposition on the part of parents whose children go wrong to get rid of them, to get them into some asylum; but when they are asked what they will pay towards their support, they very frequently say that they can pay nothing, when I have reason to believe, from inquiries that I have made into particular cases, that the parents could pay if there were a power of legally enforcing payment.

2081. Would you proceed to any other suggestion?—I had a case only yesterday in which a woman, having married a second time, had a son not yet 12 years of age. This child was brought before me charged by his father-in-law, his own mother, and his own elder sister, who all, I am sorry to say, seemed extremely anxious that he should be sent for trial for stealing some money, which they swore they had put, or that one of them had put, into an open desk in an open room; they acknowledging to me that they knew the boy had been a thief for the last four years. There was a deficiency of legal evidence. I knew that there would be no conviction, and therefore I did not send the boy for trial. They were extremely annoyed at my not doing so, and wished the child to be

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got into some asylum. The father-in-law was asked what he would pay towards the support of the child. He said he could pay nothing, though I know, because I have ascertained the fact, indeed, he acknowledged as much to me, that he is a glovemaker in a very good way of business, with enough work to keep himself, his wife, and his daughter-in-law continually employed. I saw a notice in the window of his house "Additional hands wanted;" his house was well furnished, the family were all extremely well dressed, and there was no doubt that they had the means of doing something for this boy, by contributing to his support. The father did ultimately say his profits were limited because he could not get people to work for him, but that he would manage to pay half-a-crown a week if the boy could be got into any asylum. When I say that this case occurred yesterday, I had remanded the boy; it was about a week ago, but I was occupied over it yesterday, which made me say yesterday. I desired that the boy should be taken home; and the mother having shown considerable emotion while giving her evidence, some person, as the boy was leaving the Court, said to him in the outer room, "You stick to your mother," upon which the father-in-law was heard to say, with an oath, "He doesn't enter my door again." The boy came to me at the police-court yesterday, completely wet to the skin, having been, as he told me, wandering about ever since. He told me that he had got a neighbour to try and intercede with his father to take him in. I went to the house of that neighbour, a respectable person; I found that the boy was correct in that statement, and the boy is now in the workhouse.

2082. What age was this boy?—Twelve.

2083. Mr. *C. Legh.*] Under what plea is he in the workhouse?—He is now in the workhouse because his father would not take him in.

2084. What right had the workhouse to take him in?—They took him in at my request, that he might not be wandering about the streets. Of course the person legally liable to support him can be punished.

2085. *Chairman.*] The case which you have just mentioned suggests to me another question with reference to the parental responsibility; would you make a stepfather liable, as well as a natural father, for the expense of maintaining a child in a prison or a reformatory asylum; you bear in mind probably that under the New Poor Law a stepfather is liable?—Yes, I am aware of that.

2086. Have you considered that subject?—Yes, I think I would.

2087. That the same liability to support which would have attached under the provisions of the Poor Law if the child had been out of gaol, should attach and upon the same person if the child were in gaol?—I would.

2088. You would give a power to that effect?—Yes; because at present the natural inducements to neglect on the part of the stepfathers are great, or at least they have not the same natural inducements as they would have to take care of a child of their own, and therefore I would make the legal responsibility fall upon them, as it does in the other case that you have mentioned.

2089. I think you say that you have seen cases where the stepfather has appeared to be under a particularly strong inducement to rid himself of the burthen of maintaining the child?—Yes.

2090. Mr. *M. Milnes.*] Would you extend that obligation to parishes in the case of children who have no legal guardian?—I have not considered that point.

2091. *Chairman.*] Will you proceed to any other suggestion that occurs to you?—There is no doubt that the drunkenness of parents is one of the great causes of neglect. I think that that cause might be very much mitigated if all public-houses were to be closed during the whole of Sunday. They are now closed partially, and the effect has been very good. I do not see why they should not be closed altogether.

2092. Do you think that that would be a practical measure within the metropolitan police district?—I think so.

2093. Has it occurred to you that there are undue facilities now given for the disposal of stolen property?—Very much so. I think the way in which what are called marine store dealers purchase whatever is brought to them, tends very much to increase juvenile crime.

2094. In your opinion, could any legislative enactment be framed to meet the case of that evil which we are now pointing out?—I should say so. In the first place, there is a clause in the Police Act which imposes a penalty of 5*l.* upon any pawnbroker, or his servant, or agent, taking in any pledge, or purchasing any article

article of any person apparently under 16 years of age. That I should have thought might also be extended to general dealers.

2095. As the law stands at present it is limited to pawnbrokers?—Yes; but still I think that a fresh measure altogether would be more beneficial. I would say that every marine store dealer should be liable to visits from the police; that he should be bound to keep books of all his transactions, with the names and addresses of the persons of whom he bought; that he should not be allowed to buy of persons under a certain age; and that there should be penalties for the infringement of those provisions.

2096. Do the marine store dealers take in pledge as well as buy, or is their trade exclusively buying?—There trade is exclusively buying; but there are persons who do take in pledge contrary to the law. One hears incidentally of such things, but I am not aware that that has any thing to do with juvenile delinquency.

2097. Anything which would have the effect of giving undue facilities to the disposer of stolen property, would probably, in your opinion, have an effect in encouraging juvenile crime?—Yes.

2098. Does it occur to you that any alteration can be made with benefit in the existing law as to pawnbrokers?—I do not think the law as to pawnbrokers is sufficiently carried out.

2099. When you say carried out, would it be sufficient if it were carried out?—I should say not; but even as far as it goes, I think its provisions are very often contravened with impunity.

2100. How does that arise?—Because a magistrate can only act upon complaints brought before him, and the persons who send their children, and the children themselves, do not make the complaints.

2101. What remedy would you suggest?—Possibly by including general dealers and pawnbrokers in one measure similar to that which I have already suggested as to general dealers.

2102. Would you give any greater summary powers to the police than they now possess with regard to dealers of this description?—I would.

2103. Of what description should those powers be?—Allowing them the right of visiting these places. Of course such a right would give very considerable power. It ought to be exercised very judiciously. It is not for me to say whether it ought to be given. I should say that it might be very beneficially used.

2104. Pawnbrokers, I believe, are registered and licensed, are they not?—They are.

2105. Would you apply both those restrictions to the case of marine store dealers; would you require them to be registered and licensed?—I would; but marine store dealer is such a vague term.

2106. I was going to ask you how you would describe that trade; is that the name by which they call themselves?—No; finding that the name of marine store dealer has got into disrepute, they like to call themselves general dealers.

2107. However, in your opinion, some legislative enactment might be applied to them?—Certainly; I am quite convinced that they offer very great facilities to crime, and very great encouragement to it.

2108. Mr. *S. Herbert.*] How would it be possible in an Act of Parliament to define the class of dealers to whom this supervision would be restricted?—I should use a very general term, and give it a very general application.

2109. *Chairman.*] The term general dealers would hardly do; there are many honest people who deal in a great variety of articles?—It would be very difficult to suggest the exact term that should be used.

2110. Sir *W. Jolliffe.*] Do you not suppose that it would lead to the private disposing of these articles that were stolen; do you not think if you stop the public shops where these articles are made away with, that you would induce persons privately to establish some mode of getting rid of them?—It would possibly have that effect, but not to such an extent, I think, as the evil would be mitigated by doing away with the disposal of these things at public shops.

2111. You are aware, perhaps, that it is quite common for the persons with whom the lads who commit these depredations lodge to keep them for the purpose of obtaining these things, and of taking the stolen goods from them to places where they are housed?—So I believe; but there is now a law as to common lodging-houses which gives the power to the police of visiting these places, and which I believe is working extremely well.

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2112. Do you know that the condition of these houses has been much ameliorated since that law came into operation?—I know that such has been the case in my district.

2113. And it has come to be generally acted upon, in a manner that scarcely has a parallel with regard to a newly passed law?—I think it has. I was getting some information about it a day or two ago. The police in my district have found very little difficulty in carrying it out.

2114. Do you think it has the effect of making these houses of a more moral character, and of a more desirable character, other than the effect it has upon their sanitary condition?—Most certainly.

2115. *Chairman.*] With regard to places of public amusement, I believe you are desirous of making a suggestion to the Committee?—I think that the cheap concert rooms are very injurious indeed. I think when young thieves are thieving for themselves, and not for older persons, it is very frequently to give themselves those sorts of amusement. They spend a great deal of what they get there, and they form bad acquaintances there also, which makes them worse.

2116. What are the kind of places to which you are now alluding?—I really hardly know any technical name for them. I believe the police call them gaffs.

2117. Are they penny theatres?—They are sometimes called penny theatres; but theatrical performances do not take place there, and that renders it very difficult for the magistrates to deal with them, because the magistrates have jurisdiction only over places where stage plays are performed, or any part of a stage play; and there is great difficulty in getting evidence as to any part of a stage play having been performed at these places.

2118. From your experience as a magistrate, can you inform the Committee what the kind of amusements at these penny theatres and concert rooms are?—I have never been to one, but I have heard that they are songs and dances "in character," as it is called, by persons dressed up in what is termed theatrical costume, and songs very often of a very immoral and disgusting nature; recitations of the same character; and the audiences consist almost entirely of young thieves and young prostitutes.

2119. Does it occur to you that any legislative enactment could with advantage be adopted to meet that evil?—I think so. I think that similar powers to those which apply to disorderly conduct in public-houses might be advantageously given to magistrates.

2120. What are the kind of powers?—The police are empowered to go into such houses, and if they find drunkenness or disorder prevailing, or if they find persons of notoriously bad character assembled there, the landlord of the house incurs a penalty, which is enforced, and which there is no difficulty in enforcing.

2121. The power of clearing the house also?—The police constable generally, I believe, desires the landlord to turn the persons out who are indicated to him as notoriously bad characters. If the landlord does not act upon the information given him, but knowingly permits notoriously bad characters to meet and remain in his house, the police officer applies for a summons.

2122. What kind of analogous power would you suggest in the case of these penny theatres; would you render the person who appears to be acting, the person taking the money, the master, or manager, liable to a complaint, as the landlord is in the case which you have just put?—Yes; there might be some difficulty in getting hold of some person really responsible, unless the money-taker might be made responsible, and also any person ostensibly acting as the manager.

2123. Sir *W. Jolliffe.*] Great control is exercised over the keepers of public-houses by the terms of their license?—Exactly.

2124. *Chairman.*] Will you proceed to any other suggestion?—I might, perhaps, suggest that ignorance is one of the very great causes of delinquency; that generally crime seems to be confined, as far as my experience goes, to the uneducated classes; and possibly if education could be made even compulsory, it would have a very beneficial effect.

2125. You mentioned just now the subject of the dwellings of the poor?—Yes.

2126. I believe you have paid a great deal of attention to that subject?—Yes. I had opportunities when I was engaged upon an inquiry into the operation of the law of settlement.

2127. I believe you were authorised by Mr. Charles Buller, then President of the

the Poor-law Board, to institute an inquiry into the subject of the law as to the removal of the poor, and you then made particular investigation as to the state of the dwellings of the poor in the course of that inquiry?—I did. I found the dwellings of the poor very much overcrowded, rendering it quite impossible that anything like morality or decency could be observed among the inmates, and leading, no doubt, to indiscriminate connexion, bringing into existence a class of unfortunate children likely to prove very fertile sources of crime. I think that the Act now in operation will do a great deal towards the mitigation of that evil.

2128. You mean relating to lodging-houses?—Relating to lodging-houses; but there are, I know, districts in which that evil still prevails to a very great extent.

2129. Sir *W. Jolliffe.*] Lodging-houses where the worst description of residences are to be found?—Yes; but it is not confined to common lodging-houses, where they take in nightly lodgers, but it extends to houses inhabited by families occupying rooms by the week, themselves taking in lodgers.

2130. Were your inquiries chiefly directed to populous districts, towns?—No; my inquiries were directed to the counties of Norfolk, Suffolk, and Essex, and also to the town of Reading, where I saw a great deal of it.

2131. *Chairman.*] In the course of that inquiry had you occasion to examine the state of the lodging-houses in Norwich, and in the large towns in those counties?—Yes; I saw that the evil prevailed a great deal in all large towns, into which persons are driven by the operation of the law of settlement from all the agricultural parishes near large towns. In every case there seems to be a most unwholesome accumulation of persons, morally and physically unwholesome, of the poorer classes into these dwellings.

2132. Sir *W. Jolliffe.*] And that accumulation you attribute to the defective state of the law of settlement?—I have no doubt that a great deal of it is owing to that.

2133. And perhaps, in your opinion, that evil has even been aggravated by the law of irremovability?—I believe it has.

2134. *Chairman.*] It is what is called the "Five Years' Residence Act"?—Yes.

2135. Sir *W. Jolliffe.*] And this has been another inducement to get rid of these persons?—Yes, it has.

2136. *Chairman.*] I believe that your Report upon this subject, in which you enter into detail, is printed and laid before Parliament?—It was, nearly four years ago.

2137. Is there any other point upon which you can favour the Committee with any suggestions having reference to the subject of this inquiry?—I think not.

2138. Mr. *T. Egerton.*] I understood you to say that you considered the lodging-houses were a dreadful source of evil?—I mean that the accumulation of a number of persons in lodging-houses is a very great aggravation.

2139. Have you found at all, since the "Lodging-house Act" passed, that the effect of it has been to drive a considerable part of the population who formerly inhabited the low lodging-houses into non-registered lodging-houses, where they are no longer under the control of the Legislature?—I believe that that is so; but I think, if those houses are found to take in lodgers, that they will be brought under the superintendence of the police.

2140. In what way?—I think the police will, if they find that they really are lodging-houses in which nightly lodgers are taken in, proceed against them.

2141. Have you found that the effect, in many cases, to avoid coming under the operation of the Act, has been that what were formerly nightly lodging-houses have now become lodging-houses for a week, a fortnight, or three weeks, taking in lodgers under these terms, and in that way evading the operation of the Act?—I have not had any information upon that subject.

2142. Mr. *C. Legh.*] With regard to that distressing case which you mentioned of the child, did the father complain at all that the child had refused to work; did he give any reason; you say that the father applied for fresh hands, and yet he turned this child out of doors; did anything occur before you to show any reason why he should have done that?—The boy himself told me that he could not work at glove sewing.

M——— *M*———, called in; and Examined.

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2143. Mr. *M. Milnes.*] ARE you staying at present as an apprentice with Mr. Ellis?—Yes.

2144. How long have you been there?—I have been with him this last time nearly six months; I was with him before; I left him to go to America, and I have come back again.

2145. How old were you when you came to him the first time?—Getting on for 18.

2146. Had you been for some time before that in habits of committing offences against the law?—Yes.

2147. What first led you into offending against the law; was it necessity or some other cause?—Partly necessity and partly ill training.

2148. *Chairman.*] Had you taken things that did not belong to you?—Yes.

2149. Mr. *M. Milnes.*] How long had you been in the habit of that life before you were detected?—Two or three years.

1250. Were you then sent to prison?—No; let go.

2151. What was your condition at the time you first were led into that life; were you living with your father and mother?—Yes, I was living at home.

2152. Were you led into it by the advice of other boys; just tell the Committee a little about the way in which you were first led into it?—Having a stepmother, I was very careless at home, and having companions that way, and my being inclined, all these things combined, which I cannot mention now, led me on.

2153. You were led on little by little?—Yes, by degrees.

2154. When were you sent to prison?—I suppose about four years ago.

2155. How many times have you been in prison?—Twice.

2156. Was your imprisonment of use to you?—No, not in the least.

2157. Why was it not of use to you?—It would have been, but after I received my punishment I was just as hardened as before I had received it.

2158. Did you commit offences soon after you left prison the last time?—Yes, the same day.

2159. Did not the punishment that you had received, and the discomfort of imprisonment, act upon you as a terror for offending again against the law?—Not at that time.

2160. Were any attempts made to reform you whilst you were in prison?—No, there was nothing said about it; there was no more than the rules; the rules are read to you in there, and they are very harsh with you; there is nothing like reformation, such as I should prefer, going on there.

2161. Did the chaplain talk to you privately?—No.

2162. Do you think that the present way that young criminals, young thieves for instance, are treated in prison leads to reform them?—No, it does not.

2163. What do you think is the feeling of a boy in your class of life when he has been sent to prison?—Why, his feeling is, that he would, if it was in his power, injure or destroy anybody that had any hand with him. His feeling is, that he would do so if he could manage it any how; he would run any risk for to get away again.

2164. When a boy comes out of prison for an offence of that kind, what generally becomes of him?—Well, some may go home, and some may stop away; they may go on again for a living; some have no way of getting a living only that way, and when once their character is gone down they have nowhere to refer to for another character; that is, they are obliged to carry on the same way for a living.

2165. Do their companions know when they are coming out of prison, and wait for them?—Yes.

2166. And what do they say to them when they see them again?—Why, they generally ask them to go and have something to drink; and if they have not got any money they cannot have it then, but they then go and get some.

2167. Now what happened to you the day you left your prison, without mentioning any names or places?—The first time I left when I came out I was detained; I had several reports against me, and I was kept till after five o'clock, and there was no one came for me. My companions had been in the morning,

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but they did not come in the afternoon, seeing that I was not let out. I went straight home, and I had been at home but a week when my former ill-doings came to my mind again. I was careless of what became of me, and I went on the same way again.

2168. When did you break the law again; you say you broke it the same day?—Not the first time; the second time that I came out, when I got with my companions.

2169. Just tell the Committee what happened the second time when you came out?—The first time I went in I did not know how to keep myself from being reported; but the second time I did; and when I came out, I came out early in the morning; and I went out in the City-road, me and the rest of us, and we went into a baker's shop there and stole some brass weights, and we sold them at a marine store dealer's.

2170. That was the very same day that you came out of prison?—Yes.

2171. Was that theft detected?—No.

2172. Had you always plenty of ways of disposing of all your stolen property?—Yes.

2173. Without any difficulty?—Yes.

2174. Did it ever happen to you that the persons to whom you wanted to sell have refused it because it was stolen?—Only once, and it was through that party that I was first taken up.

2175. Are the young thieves of London generally collected together in gangs?—Yes.

2176. With a captain at their head?—Yes, there is always the leader to a band.

2177. Are they continually looking out for recruits, new boys, to join them?—They are not over anxious, unless they know anybody that is more expert than usual; then they try to get them in their gang; if they know anybody that they think will be more expert, then they will try to get them on their side.

2178. Is there a rivalry between the gangs as to which can make most money?—Yes, I have known that in many cases; in the gang I was connected with they were continually fighting about who was the best; they were continually quarrelling about which was the best hand.

2179. You mean by the best hand the one who could commit the most successful depredations?—Yes.

2180. What was the class of life of the cleverest thieves that you had, or rather, what was the class of life generally of the boys in your gang?—The father was a labouring man, and they were errand boys and that.

2181. Do you think that they were most of them led into it by poverty?—No, I think not; I think more was for mischief than anything else; a good many of them at least; if their parents would have paid attention to their children they would have minded them.

2182. Do you think that, generally, the parents are aware of the thievish habits of the boys?—No, a good many of them are not; those boys whose parents are not aware of it are led away by the other boys anyhow.

2183. What do you think would be a better way of reforming boys than sending them to prison?—I do not think there could be a better place than putting them under such a man as Mr. Ellis for reformation.

2184. But we cannot have Mr. Ellis's everywhere?—If those men could be found I do not know any other way than the way Mr. Ellis adopts towards reforming these chaps.

2185. Do you think that these boys are, many of them, very susceptible of kind treatment?—Yes.

2186. What was it that made you so much attached to Mr. Ellis?—His kindness.

2187. Was it something quite different from anything you had ever had before?—Yes.

2188. And how did it come upon your mind that you had led a bad life, and would wish to lead a better?—Why, because he showed me that if I was to set down with him I should lead a much better life than I had been leading.

2189. Is it not a difficult thing for a boy who has had the free, and, in a certain degree, luxurious life of a London thief, to submit himself to a life of labour and quiet?—Well, it is rather.

2190. Do you think that many boys would do that if the opportunity were given

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given them?—Yes, a good many of them may if they were treated in the same way that I was; all the rest have, I know, that belonged to our school, who were always let to go their own way; they were not bound down to anything; that was rather too harsh.

2191. You mean that many of these boys had never known what kind treatment was?—A good many of them.

2192. Do you know any cases of boys who have been thieves, and who then have reformed, and become honest boys themselves?—I have known plenty that have been reformed to the public, but they carry on quietly to themselves; they do not go out in gangs, but they go and rob masters secretly; they get to places, and rob their masters secretly.

2193. How do these boys that you have been with before treat you now when they see you?—Why, they cannot believe that I have reformed. If they see me respectable, they say they don't see how I can do that; they can't do it like I can; and they would like to know how it is to be done, and all this.

2194. Do they try to tempt you back again?—No, I have not noticed that; I do not think they have ever said anything to me about trying to get me back again.

2195. Do many boys of that class of life attend the ragged schools?—Yes, they go there, but merely to kick up a nuisance.

2196. What do you mean by that?—Why, to kick up a row, for to amuse themselves; by disturbing the school, they amuse themselves.

2197. And do some of them then stay for better purposes afterwards?—Yes, that is the way they are led on; that is the way I was led, when I first got connected with the school. I went there just for to blow out the candles, and knock over the forms, and kick up a sort of a row like this; but by degrees I was talked to, and taught better.

2198. At the time that you were offending against the law, had you a clear consciousness that you were doing something wrong?—I knew that I was doing wrong, but I did not care for that; I had no care about what was to pass.

2199. Were you not afraid of the consequences that the end of this life might lead to?—No, that never struck me.

2200. Do you believe that boys in that life think very little of consequences at all?—Very little.

2201. Do they look to direct personal enjoyment and advantage only?—That is all; it is a short life and a merry one: they know that when they get what they are after they will have a spree with it; and on they go for something else.

2202. Are they friendly to one another; do they assist one another?—Yes, the most part of them.

2203. Mr. *Tufnell.*] Have you been subject to any insults from the police since you have been reformed, or were you when you first went to Mr. Ellis?—The police knew me, and used to move me on, and shove me about, knowing what I had been before; but they did not know any harm of me then.

2204. When they met you in the public streets?—Yes.

2205. Mr. *M. Milnes.*] Have many boys of a criminal life emigrated that you have known?—Yes; there were two went from our school, and one died when he got over to New York; and four more besides me went to America, and came back again because we could not get any work.

2206. Do you think that these boys would generally be willing to go to the colonies?—Well, some would like to go.

2207. Do you think the chances are that they would lead an honest life when they got there?—Yes, if they got work there, they would, I believe.

2208. Have you ever heard of the Philanthropic School at Red Hill?—No.

2209. Do you think that a school might be established to which boys might be sent, that would be more likely to do them good than in prison?—Yes.

2210. What kind of school?—Such a school as the ragged school, and other schools, if they knew how to treat them kindly; something after that way.

2211. Do you think that if there was a school of that kind, that any parents would send their children to steal or to break the law, for the purpose of sending them there; getting them an education?—I do not know; I do not think they would.

2212. Are the parents generally ashamed of their boys being thieves?—A good many

many are, others are not; a good many are encouraged by their parents, a great number of them.

2213. Mr. *Monsell.*] You say that you think that the treatment to which you were subjected in the prison in which you were confined did not appear to you to be likely to reform any one. I wish to know whether you were in separate confinement, or whether you mixed with other prisoners?—I mixed with other prisoners.

2214. Mr. *Adderley.*] Whereabouts did you live before you came to Mr. Ellis?—With my parents, at ——.

2215. What sort of neighbourhood was it?—It was a very bad neighbourhood, M—— Street.

2216. What sort of people were living in it?—Very low people.

2217. But there were richer people in the neighbourhood, were there not?—There were respectable persons here and there; there were two courts, and every house in them was a brothel; there are more brothels than anything else about the place.

2218. I suppose the thieving that went on amongst the boys was carried on in the neighbourhood?—Yes.

2219. And what time of age did any of the boys begin that course of life?—From 10.

2220. Do you know any younger than 10?—No, I do not.

2221. Are there many little boys employed by bigger boys for the purpose of thieving?—None younger than that.

2221*. None younger than 10?—I cannot recollect any.

2222. Now what sort of education did you get as a boy?—I have been sent to schools, but I ran away from them.

2223. What sort of schools?—I was at a school in Seymour-street.

2224. Was that a school where your parents paid for you?—No, it was a free school.

2225. What sort of school was it; was it a parish school?—No, it was a Catholic school.

2226. A Roman-catholic school?—Yes.

2227. Then, when you first got into prison, could you read and write?—Very little.

2228. Could you read enough to read common publications?—Yes.

2229. Did you read much?—I was not fond of reading.

2230. Are boys of that description generally fond of reading?—No.

2231. At this school, I suppose, you were taught the difference between right and wrong?—Yes, but not as regards the law.

2232. You knew, at all events, that there was a God angry with those who did wrong?—Yes.

2233. But you did not know much about the laws of the land?—No.

2234. Do you suppose that the boys generally who were with you at the time were boys who had been at school; had most of those in a bad course of life been to some sort of school?—Yes.

2235. Almost all of them?—A good number of them.

2236. They were not of the most ignorant class of boys?—No.

2237. Most of them could write?—I do not know about writing; they could read.

2238. How long had you a stepmother before you got into a bad way?—I had a stepmother ever since I can recollect.

2239. What age were you when your mother died?—I was an infant.

2240. Was your home rendered uncomfortable?—Yes.

2241. Was your father in a respectable way of life?—Yes; he is smith's labourer; he is always in work.

2242. In your case there was nothing at home to lead you into wrong; into such a bad example?—Nothing but my mother; always complaints when they were not deserved.

2243. But your father did not lead you into wrong?—No more than his harshness.

2244. Your home was uncomfortable?—Yes.

2245. Do you think that imprisonment generally is felt by boys?—No, not much.

2246. Is transportation felt by boys?—Yes, that is.

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2247. Why do you think it is felt?—Why, because they do not think they should like to go away so long a time; whereas if they are sentenced to such a thing as a month or so, they think very little of it.

2248. I suppose they would not like to go away from their old companions?—No; and they do not like to lose their freedom for so long a time.

2249. Boys who follow that life of amusement, if a good lot of them were to go away together, they would not particularly mind?—If there was a lot together, some that are inclined for the good may lead the others the same way.

2250. In a school like that of Red Hill, do you suppose that boys generally would like or dislike a project of emigration?—Well, some of them may like it.

2251. What should you say; you must have heard it talked of often, whether emigration was a thing looked forward to as an enterprize, or as being banished?—A great number that I knew belonging to the school that I belong to went with the intention of going abroad.

2252. They wished to go abroad?—Yes.

2253. What do you think the particular advantage of Mr. Ellis's treatment of boys; what has done you good there?—His kindness in every way.

2254. Do you think that if such an establishment as that were generally open to boys, that they would get out of their bad ways?—Yes.

2255. Did you find much difficulty at first, from your old companions trying to get you back amongst them?—No; a great number of them had gone away some way or the other; and I know those at the school, though they did not belong to my band they belonged to another, and I got in with them.

2256. You were not captain of the band yourself?—Yes, I was.

2257. There was nobody then above you to threaten you at all with leaving them?—No, not in my band.

2258. Mr. *M. Milnes.*] How many boys had you under you?—There were about 25 altogether.

2259. Mr. *Tuffnell.*] What has become of many of those boys that were associated in that bad gang?—A good many have gone to sea, others have enlisted, others have gone to the Marine School.

2260. Have many of them been convicted, and sent out of the country?—Not all sent out of the country; they have all been convicted; I do not recollect any that have been sent out of the country that belonged to my band.

2261. Mr. *Adderley.*] You said that you left Mr. Ellis for a short time?—Yes.

2262. Where did you then go?—To America.

2263. Who paid your passage?—The school.

2264. What part did you land at?—New York.

2265. Had you any recommendation to anybody there?—No.

2266. How did you apply for work then?—I went to several shops that were there, and I could not get any work; and that is why I made my way back again; if I had got work I should have stopped there.

2267. You went for the purpose of getting employment?—I did.

2268. Mr. *Monsell.*] How long is it since you went out to America?—I came home again last summer.

2269. Do you recollect what the time was that you went out?—It is about 15 months ago, I believe.

2270. How long were you there without being able to get work?—Three weeks.

2271. Only three weeks?—Yes; I came back in the same ship that took me there.

2272. Mr. *S. Herbert.*] Were you consigned to anybody there?—No.

2273. Had you any letters to anybody?—No.

2274. Had you any money?—I had just enough money to keep me while I was there, and when that was gone I came home.

2275. I suppose you did not go up the country at all?—No, I had not enough for that.

2276. Mr. *C. Legh.*] Were any boys sent out there with you?—Yes.

2277. From the same school?—Yes.

2278. And none of them with letters?—No.

2279. No letters directed to anybody in New York?—No.

2280. Did the other boys all come back?—Three came back and one stopped, and he came back shortly afterwards.

2281. Mr. *Adderley.*] When your apprenticeship with Mr. Ellis ceases, what chance

chance shall you have of getting employment?—I think I shall have a very good one.

2282. Have you learnt a trade of Mr. Ellis?—Nearly.

2283. In what way could you get your livelihood?—I could get my livelihood by my trade.

2284. What is your trade?—Bootmaking.

2285. Did you understand that trade before you went to Mr. Ellis?—Not when I first went to him.

2286. Did you apply in New York to bootmakers?—Yes.

2287. Mr. *Monsell.*] That was the only sort of work that you sought for in New York?—Yes.

2288. Mr. *Adderley.*] Supposing there were such schools on a large scale like Mr. Ellis's, do you think boys would find a difficulty after they left school in getting work?—I think not.

2289. You think that they would learn a trade sufficient to enable them to get a livelihood?—Yes.

2290. Would there be much chance of their getting back to their old companions?—No, because they would not heed them; they would not have anything to do with them.

2291. Sir *W. Jolliffe.*] Do the whole of Mr. Ellis's boys carry on the trade of bootmaking and shoemaking?—Yes.

2292. Mr. *Tufnell.*] Do you know any gangs of young thieves in process of formation?—Yes; there is a lot about Henry-street now that is just launching out, from about 9 up to 16; perhaps not so old.

2293. And they are regularly learning to carry on depredations?—Yes.

2294. Mr. *T. Egerton.*] Are they boys who have been in prison?—I do not think they have been in prison; I do not think any of them have.

2295. Mr. *Tufnell.*] But they are led on by other boys who have been in prison?—Yes.

2296. Do you know any cases in which these boys would break off that course if there were any place in which they were kindly treated, and taught and educated?—Yes, I do.

2297. Have you ever made inquiries of those who have not been reformed like yourself, whether, if they could find some place where they could be treated kindly and well, they would go there?—I have heard some say that they would like to go there, and others have not said anything about it.

2298. Do you think that if there were any place to which you could introduce them, you yourself could induce them to leave off their practices, and enter such an establishment?—Yes.

2299. By showing them the benefits that you had yourself received?—Yes.

2300. Mr. *M. Milnes.*] Do you find that people twit you and stare at you for having been a criminal in your younger life?—No.

2301. Do you find people ready to forgive you?—Yes.

2302. Mr. *C. Legh.*] You say that you think that kind treatment is more effectual in reforming children than harsh treatment?—Yes.

2303. In the prison in which you were placed you say that you thought the treatment was harsh?—Yes.

2304. Were you flogged there?—I was flogged at Newgate.

2305. What do you do at night; do you carry on your robberies at night in these bands?—If you want any money you carry it on then to go to the theatre; they generally pass their time, if they can, so as to go to the theatre at night.

2306. In that case are the parents not generally aware that their children are out at night?—Well, some are and some are not.

2307. Do the parents object to their children being out at night; do you hear that they are found fault with?—They dislike their stopping out all night.

2308. When they stop out all night where do they lodge?—There are lodging-houses about.

2309. Not in the open air?—If they have no money to go to the lodging-houses they sleep in cabs, or carts, or passages, or anything they can get to.

2310. But if they have money they go to the lodging-houses?—Yes.

2311. Are they very crowded in those lodging-houses?—Yes.

2312. And I suppose in the lodging-houses they arrange future robberies?—For the next day.

2313. In short, the lodging-houses are as bad as they can be?—Yes.

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2314. Mr. *Adderley.*] Common brothels?—Yes.

2315. Mr. *C. Legh.*] Young people of both sexes?—Yes.

2316. All in the same room?—No, not in the same room; most of them are; a good many of them are, and a good many not.

2317. *Chairman.*] How old do you say you are now?—Twenty-one next birthday.

2318. How old were you when you were first taken up for stealing?—About 16.

2319. And what happened to you then; you were found guilty, and what was the punishment?—No, I cleared several times; but the first time I was found guilty, I was flogged, and had two months' imprisonment.

2320. In Newgate?—Yes.

2321. How long was it after that that you committed your second offence?—And got tried for it?

2322. Yes.—About a couple of months.

2323. There were some offences perhaps, between, that you did not get tried for?—Yes.

2324. Then you were tried in about two months after the first?—Yes.

2325. What was the sentence then?—One month.

2326. A month's imprisonment?—Yes.

2327. Any flogging then?—No.

2328. Then you came out?—Yes.

2329. Were you found guilty again of anything?—No.

2330. How came you to meet with Mr. Ellis?—I met with Mr. Ellis at the ragged school; those that were the noisiest he would take, and talk, and sympathise with them.

2331. And how long had you been there before you went to Mr. Ellis; about how long?—About six or nine months.

2332. How long have you been with Mr. Ellis altogether now?—From the first beginning, about three years and a half.

2333. Was it after you went to him first that you went to America, or before you went to him at all?—After I went to him.

2334. Then you left him and went over to America?—Yes.

2335. And did you return to him directly?—Yes; I came to him, and he sent me to work for his brother.

2336. You are working for him now?—I am working for himself now.

2337. You have been constantly working with him during all the time you have been with him?—Yes.

2338. Regularly working?—Yes.

2339. How many others are there with him now?—He has six more boys besides myself.

2340. Have they been with him as long as you?—Yes.

2341. All of them have been more than three years with Mr. Ellis then, have they?—Yes, on and off.

2342. Mr. *Adderley.*] Is your father still alive?—Yes.

2343. Have you seen much of him since you have been with Mr. Ellis?—I see him every week.

2344. Mr. *M. Milnes.*] Does your father seem grateful to Mr. Ellis?—He very seldom sees him.

2345. But is he grateful to him?—I do not know.

2346. Has he helped or given any money to Mr. Ellis, in any way?—No.

2347. Supposing there was a school of this kind, do you think that any money could be got from the parents for the support of the children in the school?—I do not know; it might.

2348. Mr. *C. Legh.*] However, in your case nothing has been given?—No.

2349. Not ever since you have been back from America?—No.

2350. Nor since you have been reformed?—No.

2351. Mr. *M. Milnes.*] Do you think that in no case, not even the case of very young boys, some severe punishment might be of use in checking them of crime?—I do not think so. I think it hardens them; because people who are that way inclined are very stubborn to harshness.

2352. Mr. *S. Herbert.*] You said that when lads were put in prison they would destroy, if they could, any one that helped to put them there?—Yes.

2353. That

2353. That is, I suppose, because being in prison is very disagreeable to their feelings?—Yes.

2354. Do you not suppose that it is so disagreeable that the prospect of going there again would deter them?—No, they never think of that.

2355. Do you not think that some do?—No; I never did.

2356. But do you not think that some do?—It runs across their mind just at the time a depredation is about to be committed, but it never occurs to them again.

2357. You think that some are hardened and some are softened?—Yes.

2358. Do you not think they would be frightened?—They would retaliate again, and ill use anybody if it was in their power.

2359. Mr. *M'Cullagh.*] Have you ever known them attempt to do so?—Yes, kicking and knocking the policemen about.

2360. What sort of punishment do you think has most effect in deterring?—Which way?

2361. What frightens them most from committing the like offences again?—I do not know; I was never frightened.

2362. But do you think that long imprisonment with hard labour, or the fear of corporal punishment, has most effect, in general, in deterring?—I never knew any one imprisoned long, that came out, that I knew after; I never knew anybody that was imprisoned longer than 12 months, and therefore they would go on in the same road again with their companions that met them.

2363. You have known several that have been flogged, and have come out and continued their bad practices?—Yes.

2364. You think that flogging has no effect in deterring them?—No.

2365. *Chairman.*] You say that you were tried again and found guilty withiu two months, and that within two months you had done something of which you were not found guilty?—Yes.

2366. Mr. *C. Legh.*] When you came out of gaol the first time, do you think, if you had had any immediate opportunity of getting employment, that you would have been honest?—I do not know.

2367. Do you think that the temptations of your friends would have been greater than the temptation of honesty?—I might have given way to dishonesty again.

2368. If you had got immediate employment?—Yes.

2369. Supposing you had got a good place immediately you came out of gaol, do you think you would have remained honest?—Why, that all depends upon my treatment.

2370. Mr. *Adderley.*] Did you ever know the case of a boy stealing food from actual hunger?—Yes, I have done it myself.

2371. I thought you said that chiefly it was more for mischief than from want?—Others have; I have done it from necessity.

2372. Actually because you had nothing to satisfy hunger?—Yes. If I had seen anything that would have fetched money, I would have preferred it.

2373. But do you believe that many boys steal from hunger?—Yes.

2374. *Chairman.*] What were the things that you were tried for stealing; what was the first?—When I was convicted?

2375. Yes.—For stealing rolls of silk, cottons.

2376. And the second time?—For a weight.

2377. What, a brass weight?—No, an iron weight, 28 lbs.

2378. Out of a shop?—Yes.

2379. You said just now that you were convicted twice; were you tried sometimes when you were not convicted?—Yes.

2380. How often has that happened?—I could not tell you; a good many times, and let go; I have been taken up to the office and let go.

2381. But you have not been tried by a jury more than twice?—Sent up to the magistrate, and the magistrate did not find me guilty.

2382. Mr. *S. Herbert.*] But you were guilty?—Yes.

2383. Mr. *T. Egerton.*] Were you ever in separate confinement, solitary confinement?—Yes; that punishment was inflicted on me by the governor of the prison.

2384. For what length of time?—Three days.

2385. Have you ever been in solitary confinement for two or three months?—No.

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2386. Mr. *M. Milnes.*] Do you think it of any good to a boy to be shut up for a short time in solitary confinement to think about himself?—No; I was shut up for three days in a dark cell, and directly I came out I had three more, and then three more, making nine days.

Jelinger C. Symons, Esq., called in; and Examined.

J. C. Symons, Esq.

2387. *Chairman.*] I BELIEVE you are one of Her Majesty's Inspectors of Union Workhouse Schools?—I am, and have been for four years.

2388. You have paid great attention to the subject of schools for juvenile offenders, and for the poorer classes?—I have, not only in my official capacity, but I have also been a barrister practising in criminal courts for nine years.

2389. You have written upon the subject, I believe?—I have.

2390. You are aware of the objects of the inquiry of this Committee?—Generally, I am.

2391. Could you make to the Committee any suggestions with reference to an improvement in the present treatment of juvenile offenders?—I think the present means of dealing with them are wholly inefficient, both for correcting crime and also preventing it, by reformation. In the first place, I think that in dealing with young offenders, the very atmosphere, if I may so express it, and the associations of a prison are detrimental, rather than otherwise, to the objects of reformation. A child once having been in gaol is divested, in a great measure, of that wholesome horror of being there, which all children have who never have been within the walls of a prison. In addition to that, the gaols that I have visited and know most of have no sufficient means, or anything like it, for training the children in morals, and of bringing to their minds the condition to which they have reduced themselves; and I very much doubt whether, with due regard to the discipline and constitution of prisons, which must always have reference chiefly I apprehend to adult prisoners, such means could be enforced there without very great inconvenience. Then again, in many of the gaols the association between the more experienced and more hardened criminals and the children is very great, especially before trial. I have myself gone into the gaol of ————, which is a very large one, that being a very criminal county, and I have found young offenders associating with old ones who have been convicted even four or five times. I remember one case of a man who had been convicted of a disgusting offence, and he had a little group of boys round him in a state of perfect idleness, having been re-committed; this was, of course, before trial. I am not aware how far that may be a general case through the prisons of England, but I have understood that it is.

2392. How long is it since the incident took place of which you are now speaking?—It occurred about 5½ years ago; I ought to have added that these boys and the men had nothing to do; they had no work of any kind; there was nothing to employ them; they were left to conversation. I also asked the governor of the gaol at the time, whether he did not think that that tended very much to the corruption of these children, and his answer was, "Undoubtedly, but we have no means of checking it." I have also frequently known chairmen, and one of the recorders, sentence boys, and even lads of an older age than boys, to a nominal imprisonment and a flogging, stating at the time that they did so to avoid the contamination which would ensue from sending them to gaol.

2393. During your practice as barrister you have heard sentences of that kind passed?—Yes, and such reasons as I have stated assigned; and I have frequently heard chairmen of quarter sessions, both at Hereford and Gloucester, I may say four successive chairmen, lament the insufficiency of the means at their disposal for dealing with this class of offenders. I also think the existing schools for the education of the general body of the poorer classes are not calculated to grapple with this particular class of offenders, and the class from which criminals chiefly arise. I think that there are almost two distinct classes in the country. I have had good means of investigating this matter long before I became an Inspector of Schools, in some of the large towns of England, and it appears to me that there is a class below entirely that poor class who come within the means of civilization, and who have been called by a foreign writer, very properly, the dangerous classes (*classes dangereuses*); therefore I do not think that existing schools, even if they were made thorough training schools in morals, which they are not, would

would be sufficient for that purpose; they do not meet the class of those who come below the ordinary scope.

2394. Mr. *Adderley*.] In what sense; low?—More degraded.

2395. Not poorer?—No, sometimes richer.

2396. *Chairman*.] That is the class which we have had described here by one of the witnesses as "The City Arabs"?—Yes.

2397. You referred just now to an expression of a foreign writer?—Yes, with reference to the *classes dangereuses*. These reasons, and I might add many more, give me a firm conviction, after very long experience and thought upon the subject, that a new class of establishments are needed for the purpose, and that nothing short of that will effect the object which you have in view; I think that such establishments should be peculiarly constituted.

2398. Will you be good enough to describe the kind of establishment that you contemplate?—In the first place, there should be far more attention given to moral training than is either suitable or necessary for the ordinary class of children; I am also a very great advocate for hard work and industry; I believe that means for moral reformation are crippled in a very great deal of their power unless that be conjoined. I have seen many instances of the marked improvement of children, both in morals, intelligence, and general aptitude, in workhouse schools, where industrial training has superseded a former state of bodily idleness; for that, unfortunately, was the case in most of the unions in my district, and still is in some.

2399. May I ask if the institution of Quatt is in your district?—Yes, it is; and I owe very much to the efforts of Mr. Whitmore, and the state of comparative perfection to which I think he has brought that school, my own experience and knowledge upon the subject, because I there have had an opportunity three or four times a year of witnessing the practical effect of the species of training which I recommend; because that establishment comes nearer to it than anything else with which I am acquainted.

2400. That is a district school formed under the 7th Vict. c. 101?—Yes, it is.

2401. It did not originate as such, did it?—No; it has only been very lately so combined; it now includes four unions; but for several years previously it was for the Bridgenorth Union alone. I apprehend that that industrial system of labour not only gives the children aptitude for all kinds of useful work, but in so doing it opens to them an independent and respectable livelihood hereafter, which the child who is brought up to thieve, and who is merely corrected in a prison, does not learn. He not only does not learn the use of his hands, but he loses any little aptitude which he might before have had; and that effect has been produced, I may say with safety, in scores of instances within my own knowledge, in these workhouse schools, not only at Quatt, but elsewhere. In the Quatt establishment they are traced in after life; communication is kept up between Mr. Garland, the master, and many of the boys, and I have received within the last week four or five letters which these boys have, unsolicited, written to him from different positions and stations, all of them going on well, and bespeaking their permanent reformation and well-doing in life. It is true that those instances relate to children who at any rate did not come to the workhouse as criminals, and here we are dealing with criminals; but I once tested at the quarter sessions at Gloucester, by the aid of the assistant chaplain, how far the then classes of paupers and criminals are not identical, and I think the result was that out of 120 criminals of all classes, and of both sexes, one-third avowed that they had been in workhouses. I also tested it in two workhouses, and found that a large proportion, I do not remember exactly what, had been at previous periods of their life in gaol.

2402. Mr. *Adderley*.] Were these juveniles?—No, they were not.

2403. *Chairman*.] All ages?—I ought to distinguish, in the first instance, "those tested at the quarter session." They were not juveniles, but the whole body of offenders, including both; but in the workhouses they were all children, and a large proportion, considering their age, had been in trouble, as they call it, which means committed in some way or other. I think that not only moral training and industrial training are essential, but in dealing with classes, as I apprehend you intend to do, who have committed crime, there ought also to be a correctional discipline. I am aware of the great difference of opinion existing upon this point.

2404. Before you come to that will you explain exactly what you mean by

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correctional discipline?—I think that when children are committed to these establishments, who have committed crimes, that they should be first punished; I do not hesitate to go the length of saying pure punishment.

2405. What kind of punishment should you suggest as necessary?—I think in these establishments, quite independent of the system such as there is at Quatt, that there ought to be a correctional period and a correctional department, into which the child should first of all be always placed. The actual punishment, I should say, would first of all consist, not in complete solitary confinement, but in that approach to it which has been found to answer very well, as I believe, at Pentonville and elsewhere, and that they should be confined in cells, and that hard labour should be given to them there; but I would make that hard labour not of a pleasing description, but something perhaps such as turning a winch. I think that would be a very severe and hard punishment at once.

2406. You would give hard and irksome labour?—Yes; of course done with due regard to health; low diet also as far as consistent with health.

2407. Would you give any corporal punishment?—I should never resort to corporal punishment except as a last resource, and then under very stringent regulations; never without the sanction of the superior officers, whoever they might be, of the establishment; never to be given at the will and pleasure of any inferior officer.

2408. Mr. *M. Milnes.*] Do you think that in similar establishments inferior officers cannot be safely intrusted with the administration of corporal punishment?—I would not go quite that length, but I should very much scruple in giving them that power; especially as I do not see that it would be useful to do so.

2409. *Chairman.*] That is the first stage, the correctional stage?—Yes; then of course reformatory means might be taken; for instance, visits from the chaplain, and some portion of education.

2410. That is while the correctional treatment is going on?—Yes, when not at work. The delinquent ought to be frequently visited; his character ought to be well probed. I see no necessity for harshness towards him; on the contrary, everything should be done to make him see that reformation was his interest. The period during which each child was so confined I should leave entirely to the discretion of the superior officers, whoever they might be, in the establishment; it must be dependent upon the progress of the child's mind, and the disposition which he showed to amendment. As soon as it appeared justifiable, I should take him entirely out of that department; I should place much confidence in him, and launch him into that system of training which would be almost exactly the same, I should think, as at Quatt, I should not even impose personal restraint, but at the same time much and strict surveillance. I should wish to mention that one great reason for desiring to see this correctional stage first, is with regard to the interest of society; that, in my opinion, imperatively requires that we should prevent these establishments from becoming an inducement to crime; I am quite satisfied they would be so without it.

2411. You would recommend that the correctional process should go on in the same establishment, and that it should not take place in prison?—No. I wish them never to go to gaol.

2412. Mr. *M. Milnes.*] In what way do you think that the establishment of such schools, without this arrangement, would be an encouragement to crime?—I think so from practical experience of the present system: for repulsive as gaols are, and even with the treadmill before the face of the children, they not unfrequently (I can speak for Gloucestershire) in the winter commit crimes expressly to go to gaol.

2413. Do you mean that the children themselves commit the crimes, or that they are urged to commit them with that object?—I think that they commit them themselves, and not only children but adults; they commit them through destitution, often produced by idleness.

2414. And with the direct object of going to gaol?—Yes; and frequently preferring that to the workhouse. I can mention an instance: Walking through Pontypool once in the middle of the day, I saw two young men sitting at the road side with a heap of stones, deliberately breaking the windows of a dissenting chapel. I sent a policeman to them. I inquired afterwards about it, and was informed that they were committed for a month; and that before they went out of gaol, they acknowledged that that was the sole object of their breaking the windows. That is one instance out of many.

2415. These

2415. These were young men, not children?—Those were young men in that particular case; but I apprehend that that inducement would apply quite as much to the destitute youth as it would to the men, and perhaps sometimes more strongly.

2416. *Chairman.*] Will you be good enough to proceed with the account of the reformatory treatment which, in your judgment, ought to be adopted; you were going on to that point, I think?—In addition to the staff which is required for a district union school, I am quite of opinion that you would want the classification of the children under distinct trainers. I may shorten my evidence upon that head by simply referring the Committee to the system adopted abroad in the German reformatory schools; and also, I believe, at Mettray, where they have what they call a house-father for each group of children. I have thought a good deal about the number, and from what I can gather, I think that about 25 should be under one trainer. I should be also desirous of having men specially selected for that purpose. They would not be required to be educators, but to be good moral trainers; men of a somewhat similar description to those who are now being very extensively employed as home missionaries, and sometimes as Scripture readers.

2417. In large towns?—In large towns. I believe there are now no less than 60 of that most useful class of men employed at Manchester, and I heard only last week from Mr. Chance, of Birmingham, who is the chairman of an institution of that kind there, that it has answered admirably, and that they are going to increase the number of these men.

2418. Will you describe shortly the mode in which they occupy themselves; what is the object of the appointment?—These men go to the exact class of which I have been talking—the outcast class—the dangerous class, especially those who attend no place of public worship; and their duties not only are to give them such religious instruction as they find they will receive, but to make themselves thoroughly acquainted with their characters, haunts, homes, and I may say also, their physical necessities and wants. By this mode they obtain a hold over this class of people which, I am quite satisfied, no clergyman, however zealous, would be able to effect; they are people who are taken from a lower rank of life, and from that reason they can sympathize more with the poor than perhaps men in our position of life could; they certainly get at their hearts and reform them most effectually. I think these are very nearly the class of men, perhaps quite the class of men, that would be wanted.

2419. Are they the agents of some voluntary society?—Entirely; Home Mission.

2420. Mr. *Adderley.*] Do they work with the clergy, or are they independent of them?—They are independent of each parochial clergyman; but they are not independent as far as their own selection goes, for the Committee always obtain the services of three or four clergymen, and sometimes dissenting ministers, to examine these men before they are appointed. The reason that they do not have parochial clergymen on the committee is, that they otherwise could not send these men into different parishes; it would not work so well; it would not harmonize with the scruples which some clergymen might have upon the subject. The Committee wish to be perfectly unfettered as to where they send these men. I think that although coming to the subject of expense, I shall have to show that it will increase the cost of the establishment, nevertheless it is one which would be very fruitful for the purpose of reformation, and, in the end, by thoroughly reforming these children, would not be costly. I think it would prevent quite as much future expense as it would cause in the first instance. I think that the whole system generally of reformation should be one of education in quite elementary and useful knowledge, keeping in view what would be practically useful.

2421. How, in your opinion, should institutions of this kind be formed; under the authority of the State, or by voluntary contributions alone, or by voluntary contributions assisted by the State; will you favour the Committee with your opinion upon that point?—Allow me to add one word to the last answer. I said education, and also moral and religious training, administered with the utmost kindness as well as firmness. Now, upon the subject on which you have just asked me, I think that it would be found ultimately quite impracticable to establish or maintain such institutions as we want for this purpose by voluntary means. I myself generally, on principle, am an advocate of voluntary education and voluntary efforts, but I have been, by experience and observation, perfectly convinced

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that, for some cause or other, those means are abortive; at any rate they are not sufficient to grapple with the evil. We cannot and are not educating our poor, even those who live around us,—our neighbours, and in a higher class than these poor children would be; we cannot educate them by voluntary means; the effort to do so has entirely failed. I argue, therefore, that it would be still less likely that by voluntary contributions we could support these establishments, which must be more or less expensive, for objects so much less approximated to the donors than the other children are; they would be aliens from them in a great measure, and strangers to them; and I believe that subscriptions to get up such institutions would be an entire failure.

2422. Then you would think it necessary to call in the agency of the State, or of some public funds?—I am not myself aware of any public funds available.

2423. Not as the law stands; but what suggestion would you make upon the subject?—I have not turned my attention to the existence of any funds available.

2424. As a lawyer, you think there are none available; but what you suggest in the first place is, that it should be done entirely at the cost of the State, or by the combination of voluntary effort and State assistance?—I think I would do it entirely by the State, as far as the building and starting of the establishment went. I would not exclude voluntary subscriptions, but I would not rely on them. Another source of the funds I think undoubtedly ought to be derived from the parents, if there be any, of the children who are placed there, and have committed the offences for which they are sent to the establishment.

2425. How would you have that enforced?—I would have it enforced by provisions very similar to those which levy the amount paid by the fathers of bastard children, perhaps with certain modifications which might be necessary.

2426. You would give to the judge or recorder, whoever it might be, who pronounced the sentence upon the offender, the power of making an order, according to the circumstances of the case, upon the father?—Upon the father.

2427. Do you consider that that is a liability which should attach also to the stepfather?—I think it should as long as he is *in loco parentis*.

2428. By the policy of our poor law at present, up to the age of 16 the stepfather is *in loco parentis*?—He is.

2429. And any relief applied to the child is charged to that stepfather?—Exactly.

2430. In your judgment, should the cost of the buildings, and what you may call the establishment charges, be provided by the State generally; or do you think it would be more advantageous to make it a burthen upon the district, a local charge; have you considered that at all?—I am quite of opinion that the more general you make the incidence of the burthen the better, and therefore I would have it charged upon the Consolidated Fund.

2431. Now proceed in your own order to state to the Committee anything further that you may have to mention upon this subject?—One reason for that is, that this class of criminals are exceedingly migratory, and I think that it is a burthen which ought to be thrown as generally as possible upon the whole country. The only exception to that would be as to parishes where a child might be settled. How far the parish might be chargeable as regards the maintenance of a child while a parent for any reason could not be found, or could not be made chargeable, is a point upon which I should rather not give a positive opinion. I incline to think that it would be advisable under certain circumstances, and under due regulations. I stated before, with respect to the detention, that is, after the child came into what I should call the second stage of his stay, that I do not think it would be necessary to confine him. Now that is a very important question, one way or the other, because if you confine the child, as in a prison, you must have walls, and a very different establishment altogether for that purpose. The sort of labour that I recommend would be that of a very small farm. I think the large farms are great mistakes for this purpose; I think the Philanthrophic infinitely too large for the purpose.

2432. You would say a farm of some kind?—A farm varying from 10 to 20 acres, cultivated by spade labour.

2433. And you would have the institution in the country?—Decidedly; as remote from a town as it could well be; the remoter the better. That is one reason why I think so large a number of trainers would be required; they would be constantly required with the boys, so as not to leave them alone. I have had

some

some means of ascertaining that there is no need for that confinement, I may say imprisonment, that some people think requisite. Mr. Pearson suggested having a wall round. If the Committee desire it, I will state my views upon this subject.

2434. The Committee would be glad to hear your views upon that important subject?—About a year ago I was at one of the workhouses that I visit in the manufacturing part of my district. A boy was pointed out to me in the school, a thick set, bad-looking boy, by the chaplain and the schoolmaster, as being a lad that had been found destitute in the streets, I think the day before; they were afraid that he was a very bad lad, and would corrupt the other children, for he had been already teaching them the art of thimble-rigging; and they wished me to speak to him, and to do what I could to warn him. Upon looking at the boy, and especially upon looking at his hands, I thought I saw at once some of the distinctive features of a thief; there was no appearance of hard work upon his hands, and his appearance bore that aspect. I took him quite aside, and quite away from any one else, and told him kindly that I believed he was a London thief; and after a little hesitation and a little more persuasion, he owned he was; he was not only that, but he was an assistant to what are called "cracksmen;" an assistant to burglars. Now, he would not have had that position unless he had gone through (as, in fact, he admitted he had) a tolerably long course of training in theft and crime. I told him that I would not divulge what he had told me (he told me a good many facts, which I promised him not to divulge, as to his past course), and that he would for the future have a fair chance of redeeming himself, and leading a new life, which he expressed an earnest wish to do. I told him that I thought, very likely, that any bad offences learnt in the school by the boys would be attributed to him, and that nothing but the most cautious conduct on his part could gain the esteem and good-will of those around him, and obtain promotion in a better course hereafter, in a better livelihood. Now I have for a year had my eye upon that boy, and I saw him again the other day; he has conducted himself as well as any boy in that large school; there has been no reason to find fault with him; he has never attempted to abscond, to get away at all; and the discipline is not over strict, but, as it ought to be, a discipline certainly very irksome to a boy who had led the previous life that he had; nevertheless, there is ground there without walls, whence he might at any time run away (there is nothing on earth to prevent his absconding, if he chooses), yet he has not done so, and he is placed in a manufacturing district, where the boys in the workhouse are often thieves themselves. This shows very plainly, that where even very slight means are taken for kindly treating and reforming a boy of the very lowest and worst description, those means are successful, without walls and without detention. I should like to make one remark on education, as my attention has been turned a good deal towards it, as preventing crime. We are often told that the progress of education, which certainly is very great at present, will check it. Now, unless it be education given with moral training, I do not believe it will, for the class of which we are speaking. I am quite of opinion that the worst class of criminals in this country are not the wholly ignorant, but the ill-educated.

2435. That is the class described in criminal calendars as imperfectly educated?—Yes; and even where they are described in the calendars as being well educated, that would not bear the test of much examination as to the really proficient education they get. In the first place, it is generally quite divested of any moral training, and even the mental education is of a very superficial kind; and very frequently it merely increases their faculty and skill, not only in committing offences, but also escaping detection. I have watched very narrowly in the courts in which I have practised, and from the opportunities I have had of seeing and tracing the character of these people, I am quite satisfied that not only the criminal statistics, but the actual experience, if the whole were collected, of the gaolers and those connected with criminal courts, would bear me out in saying that not only the greater number of the offenders are not the ignorant or the imperfectly educated, but that that class commit the worst sort of offences. They are, generally speaking, not the people who get committed for stealing a few potatoes or hen's eggs, but the people who commit malicious offences against property, offences against the person, and also aggravated offences: and I wish particularly to call the attention of the Committee to the fact, that the semi-educated and the cleverest too of this class, are precisely those who commit the crimes that are not brought home to them, and that escape detection through their superior cleverness. As to the statistics of the subject, those I could furnish the Committee with, if they choose, in a tabular

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tabular shape; but I should not volunteer to do so, because the Returns published by the Home Office are accessible to the Committee.

2436. To what Returns are you referring?—To the Criminal Returns published every year by the Home Office. I could furnish the Committee with a table, but it would be merely collated from those Returns.

2437. Have you already collated it?—I have.

2438. Then you could speak to it as being collated accurately?—Yes.

2439. Under your care?—Yes, I can speak to its being a perfectly correct deduction and abstract from that table.

2440. If you will hand in any table of that kind I shall be obliged to you?—I have it not at present with me.

2441. But will you hand it in?—Yes. The present means of education would not reach the evil, and would not reform; on the contrary, the increased means which this class now have of getting a superficial education will have a tendency to increase crime rather than to diminish it.

2442. Mr. *Adderley*.] To increase crime of the same sort, do you mean?—It will increase the same kind of crime; it will increase them all, especially the worst kinds of crime; and it will also increase the present skill of escaping detection.

2443. *Chairman*.] You have told us of a kind of establishment that you think could be most advantageously formed for the reformation of juvenile offenders; I should like now to ask you a question or two upon the subject of the staff you contemplate, and the expenses which you think would probably be necessary; first, what number of inmates would you contemplate as the maximum in an establishment of this kind?—I should say 300.

2444. We will set out with that. We are now going to speak of an establishment which is calculated to hold 300 as a maximum; have the goodness to describe your view as to the kind of staff that you should have for this establishment, and, also, as to the expense to be incurred?—I think that the preliminary expense, would be, first of all, the land and building. Supposing that all ornament were discarded, and every superfluous expense, I am of opinion that such building could be well erected, and all the outbuildings and farm-houses and cells, and so on, for 10,000 *l.*; and I have deduced that from a builder's estimate of what would be required for a district workhouse school, to contain a larger number of children.

2445. Your attention has been very much indeed directed to this kind of question lately; you have had communication with guardians and others upon the subject of the expense of district workhouse schools?—Yes, I have had discussions with them upon the subject repeatedly; I form this upon a builder's estimate, which has been tested by another builder, a London builder. I am quite satisfied that although the expense must necessarily vary in different districts, 10,000 *l.* is all that need be spent for a perfectly plain, homely building, such as would be required; then the interest upon that at 4 per cent. would be 400 *l.* a year; that would be one permanent expense. I put it in that shape as that which it would cost the nation in whatever shape, whether the money was borrowed or not. Then, with regard to the current expenses of the establishment, I think I could simplify that a great deal by looking at it in two classes: first of all, the expenses which would be incurred for a pauper school of this kind; and then adding on the additional expenses which would be involved by its penal character. The children at the Quatt District School now cost 3*s.* a week each; that includes the establishment charges, as well as their food and clothing.

2446. That includes, then, everything?—It does not include the interest upon the money for the building, or the charge for the rent.

2447. But the establishment charges are included in it?—Yes.

2448. And the cost of maintenance?—Yes. The whole is 3 *s.* a week each. I look upon that as a very liberal sum, because I know that in many workhouses the children are kept for considerably less; that would give 2,340 *l.* a year for 300 children, and that I think might be fairly set off against their present cost in prisons. Then that includes, together with the salaries of the teachers, which are paid from Government grant, all that would be required except the 12 trainers, every one of whom would be in addition. The present teachers for a district school included in the way I have named, would be quite sufficient for the educational purposes, and these 12 trainers would be in addition. Now these I think would be fairly paid, including their maintenance, at 50 *l.* a year; that would give 600 *l.* extra. Then as regards the land, the 3 *s.* a week at Quatt does not take it into account one way or the other. I am quite certain that land properly cultivated

cultivated by spade husbandry of a fair quality, would yield 10 *l.* an acre net, supposing as in this case, that the labour were gratuitous, as it would be, that it would cost nothing; the boys themselves would be the labourers. The trainers to be selected as having some knowledge themselves of spade husbandry, would amply suffice for superintending the due working of the land. This estimate of 10 *l.* net profit upon the land is built upon a variety of experiments, some of them of three and four years, at different workhouses; and also upon several plots of land which have been cultivated on the system of field gardening, as it is now called, to which I refer. The system is peculiarly suited for boy labour; a vast quantity of small work which has to be done, and from which a very much greater produce may be raised than by the ordinary system of plough husbandry. It is this which enables the market gardeners, for instance, to pay the very high rent that they do, and make the considerable profits that they make. It is a system also which involves for such an establishment no risk whatever, because the land may be so cropped, and such stock kept, as will render every bit of the produce, in some shape or other, consumable in the establishment. Estimating 15 acres as the average extent of land for a school of this kind, 150 *l.* would be thus realized; so that that would reduce the 600 *l.* extra for the trainers to 450 *l.* That added to the interest of the money for the building would amount to 850 *l.* a year. Adding on 150 *l.* as a margin, I feel satisfied from repeated calculations, and from the practical working of this system, as far as it has been hitherto tried, that the whole extra cost of such establishments to the country would be about 1,000 *l.* a year. Against this, of course, must be set off that which would be gained in the diminution of the expenditure now, which is very large, through depredation and crimes of all kinds committed in the country, and which these establishments would, of course, tend to diminish.

2449. In the actual loss sustained in the value of the things taken, and in the cost of detection, prosecution, and punishment?—Exactly. That, of course, is not an amount which can possibly be calculated, but I believe that it has never been over estimated; probably much under estimated. I know the depredations committed in the town of Liverpool alone are quite startling in amount. I am not prepared to say the amount, but I believe it has been estimated in a Parliamentary Report; and in a great measure those thefts have been perpetrated by young offenders. I am not aware that I have anything more to add upon the question of expenses.

2450. You say that this institution will necessarily involve an expenditure on the part of the public; that there should be some Government expenditure upon it; should the Government, in your opinion, appoint the officers; or supposing it to be done by a combination of voluntary effort and Government assistance, should there be some joint authority to appoint officers; have you considered that subject at all?—Yes, I have considered it to a great extent. I think in the present state of public intelligence and public spirit, and looking to what I know to be the very great strength of local feeling and local interest in the appointment of officers in the country, I would rather at present entrust the officering of such establishments to the Government. But I am aware that this would involve, together with the proper inspectors of such schools, so much careful superintendence and management, that it would necessitate almost, if not quite, a fresh department of the Government, or at least a fresh department of the Home Office. I hope that such a state of management would be only provisional in the first instance, because I should like to see a local power and a sort of municipal influence introduced in the management of such schools; but without particularizing instances, I should be very much afraid that great jobbing would result from giving the appointments to any but an office of the Government, and that office made thoroughly responsible to Parliament by having one or two of its officers holding seats in the House.

2451. A question has been put to some of the witnesses, upon which I should be glad to have your opinion, as to how far it would be practicable or desirable to have paupers and offenders in one and the same institution?—I think it highly objectionable, especially as regards the young paupers, who have done nothing whatever, in most instances, to merit even the penalties very properly inflicted upon adult paupers, who are generally themselves the cause of their own pauperism.

2452. You know a good deal of the feeling of guardians and ratepayers I have no doubt; in your judgment, would any combination of that kind, if attempted, be likely to create a strong feeling against it in the mind of the public?—I think so, as far as I have been able to judge.

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2453. Mr. *T. Egerton.*] I understood you to say, in a former part of your examination, that upon looking into the unions, you found that a great number of the paupers there, especially of the juvenile portion of them, consisted of criminal offenders?—Yes, a considerable proportion.

2454. What objection, then, would there be, referring to your last answer, to having that class at present in the pauper union school, and the class of offenders, the class *dangereux*, to which you formerly alluded, combined together in this new style of school?—The same evil of course would not result, and the injustice would not result in those particular cases; but I think that it would be very difficult to discriminate between them.

2455. In what way would you draw your distinction as to the class of boys to be admitted to these schools?—Those only, I apprehend, who have fallen under the grasp of the law, who have been convicted or committed as criminals.

2456. In the former part of your evidence you spoke of the class *dangereux*; are there not a very great portion at the present moment amongst the crowded, populous towns, particularly towns in the north, that you might term the class *dangereux*, who have not become convicted?—Yes, large masses of them.

2457. Such being the case, how do you propose to deal with that particular class, not having been convicted before a magistrate?—I considered that that class does not fall within the object of this Committee, which I apprehended was confined to criminal children only; but I will answer the question generally; I have hitherto limited my evidence entirely to convicted offenders.

2458. But in speaking of that large class, the class *dangereux*, it includes within its limits a much larger number than those who have been actually convicted?—Much larger no doubt.

2459. Is not that the very class which, before they come into the hands of the police or before magistrates, you wish to lay hold of, and if you can, reform before they come under the grasp of the law?—I consider that at present there are no better means of grappling with that class than ragged schools, whose means I think ought to be very much increased, and also by the general operation of the town missions, of which I was speaking before, and the Scripture readers.

2460. And that, I understand you, introduces a new school, another class of schools?—Entirely. I would entirely dissever the treatment of those who have been convicted from those who have not; even though I knew perhaps that many of the children now convicted were worse offenders. I would jealously guard against the intermixture of those who had been convicted by a court of justice and those who had not; that would be one reason why I would not take children, even whom I knew had been previously convicted, out of the workhouses; you could not retrospectively punish those children justly, or with regard to law.

2461. In what manner would you propose the enforcing the attendance of the children of the class *dangereux* into the ragged schools?—I do not see any way to force them at all into ragged schools; I think that our ragged schools must be filled by persuasion, and other influences. I have good reason to know that these influences are very effective without any compulsion whatever, and I can state a case: We have recently established a ragged school at Gloucester, and the great difficulty is to keep children out of it who are not of a class to benefit by it; there is not the slightest difficulty in filling these schools. I believe that the great obstacle to making ragged schools efficient is want of funds.

2462. Would you propose those funds to be provided by the Government or from local sources?—By grants from the Committee of Council on Education; those, I think, ought to be largely increased.

2463. Mr. *Adderley.*] You say that Gloucester has had a difficulty in keeping out of the ragged schools those who are not proper cases for them?—Yes.

2464. Do you not think that if you had all these distinct classes of schools you would invariably find this difficulty of keeping out classes not intended for each particular kind of them?—You might; but it is a difficulty which with due care might be overcome and guarded against, by proper inquiry as to the means of parents, for instance.

2465. Are you at all acquainted with the experience of reformatory schools abroad?—No; only through public documents, such as those by M. Ducpétiaux lately published in Brussels.

2466. Are you not aware, from those publications, that respectable parents are gradually found to send their children to reformatory schools, for the sake of care

and

and tutelage and good education?—Yes. I believe that is so stated, and may happen, but I attribute it entirely to want of proper precaution.

2467. You do not think that the tendency would be, in practice, that the schools would become amalgamated?—I think that with proper care that would not happen.

2468. We will suppose the district of Bridgenorth; would the same district, in your mind, be suitable for a reformatory school, as has been found suitable for Quat?—Oh! no; for the penal schools of which I have been speaking should adhere as closely as possible to the county divisions; that is, for convicted children. I would have a school for each county or division of county, or where adjoining counties were small, one perhaps for several. I should suggest, that first of all these schools should be established only in the largest counties in England, with a population exceeding 400,000 by the last census.

2469. *Chairman.*] By way of experiment?—By way of experiment.

2470. Mr. *Adderley.*] In order that the experiment might be gradually tried?—Yes; and one great reason is, that I am satisfied there would be considerable difficulty in finding a sufficient number of fitting officers for the work; they would gradually grow up and be trained for it; but at first I should think that there would be great difficulty in finding officers for more than 15 of the largest counties in England.

2471. How many counties exceed that number?—There are 15, I think, with a population exceeding 400,000: I think that.

2472. Then I understand that the penal schools would be more numerous than the district workhouse schools, supposing the model of Quatt was also carried out?—There are very few district workhouse schools in existence.

2473. I understood you to speak very approvingly of Quatt; supposing your wishes in respect to this were carried out, which would be the more numerous?—The workhouse schools by far.

2474. But the areas to which the two kinds of school belonged would not coincide?—Oh! no; they would widely differ. I think there are 710 unions.

2475. Now would you, a little more distinctly, be good enough to state the different kinds and standards of education that you would propose in those different kinds of schools, in the workhouse schools and in the penal schools?—They would differ but slightly; the great difference would be in the correctional discipline in the first stage.

2476. Then in the second stage?—In the second stage there would be but slight difference; if the district workhouse schools were properly and efficiently managed, the moral and industrial training, would form very prominent and important features, and so they would in the penal schools; and the education in both would be of a practical and elementary kind, not differing at all.

2477. The one being supported by rates, and the other being supported by national funds, and inspected by Government officers, should you not be afraid that the tendency in operation would be to make the penal school the better of the two?—I think that it might be a better school of the two at present; but that would be because I fear that the workhouse schools would not be likely to be so efficiently instructed and managed as the penal schools would be under the system which I have sketched.

2478. Do you not think that supposing that was the result, it would be injurious to that extent?—No, I do not think it would; because in the first place we should have the correctional feature in the penal schools, which would always render it a preventive to the commission of offences, and make it a stigma to go there.

2479. What is your second reason?—Then I think that we ought not to allow the argument which is very often adduced against educating any particular class, that some other class does not get sufficient education; I think we ought to do justice to those whom we are specially dealing with at the time, without reference to the short coming of efforts for others; if we carried that principle out we should get no improvement whatever in educational efforts.

2480. Mr. *Adderley.*] Although the first correctional stage of your penal school would perhaps deter boys from going there, yet ultimately, if their education was better there, they would be found to obtain a livelihood better, and be more sought after by employers in the country, than the children educated in the workhouse schools?—If so, that would result entirely from defects which ought to be at once remedied in the workhouse schools; and even admitting the fact to

be as you have stated, I do not think that the children or the parents of the outcast classes would argue in that way; I do not think a child would be led by a process of reasoning such as that to commit offences, and incur the certain punishment which he knew would first of all result.

2481. I have heard that boys educated at Mettray advertise themselves, and even put over their doors, "*Élève de Mettray*," and that that is considered a great recommendation; now, if such was the result in England, surely you would consider that so far injurious?—I can only repeat that if such an injury arose, it would be through the defects in other schools, and defects in the education of the poor; and supposing that to result, it would perhaps apply a very useful stimulus to our national and general efforts for the improvement of the education of the poor at large, so that no such superiority in the penal school education should continue.

2482. Your only objection to these two classes of boys being educated in the same school is that conviction has stigmatized one class, and that therefore it would be a degradation to the other class to be associated with them. Supposing by an alteration of the process of justice you could remove that process of stigmatizing the one, would your objection as to the two being educated together cease? If the stigma of an actual conviction before a court of justice could be removed from what we have called criminal boys, would your objection to the two, the pauper boys and the criminal boys, being educated together cease?—No, it would not.

2483. Would you state why; what other dread have you further than that the stigma of the one would create a degradation in the other?—I should like to create a different impression on the mind of the youth of the country generally as to the results of actual misfortune and the results of crime, which I think you never could do in any shape or way if you blended the treatment of the two classes.

2484. But in talking of crime, we are using an expression loosely or widely when, according to the premises, the crime is in many cases of a very innocent and qualified description, such as has been produced by extreme destitution or parental corruption?—It is still crime; and although it may be practically impossible to apportion the exact amount of correction to the degree of culpability, I think that a far greater evil would result from any blending of the two classes than from the totally distinct practical treatment which they are to receive at the hands of the State and the public.

2485. Do you not consider that it will be a considerable hardship upon a great proportion of these children, and injurious to the State at large, that that stigma should be so notorious and so long maintained as it would be by these criminal schools; whereas in many cases, if the first stigma of conviction was removed, perhaps nine-tenths of these children would turn out good citizens, without any such degradation being affixed to them by the country?—I think the stigma attaches just as much to the present system of sending them to gaol.

2486. I am rather comparing the effect of penal schools with the amalgamated schools for pauper and criminal children?—To get rid of the stigma for criminal children, we should have to forego the great advantage of keeping up the deterring influence of criminal punishment.

2487. Do you think that schools upon the model of Quatt would be possible all over England for paupers?—Quite possible.

2488. And you hope that there may be no practical bar in the way of their introduction?—I feel quite confident that unless there be an Act of Parliament for rendering district pauper schools compulsory, or giving very large increased facilities and funds to the guardians, there is no hope whatever of any great increase in pauper district schools. I may add that I believe that to be the unanimous opinion of the inspectors of workhouse schools.

2489. Do you find, on your inspection, the education generally given in workhouses to be very inferior?—When I first went into my district, it certainly was generally very inferior; but by aid of the system introduced of apportioning the salaries of teachers to their own competency, and to the efficiency of their teaching, that inferiority has been, during the last four years, much decreased as regards the instruction given in the schools, though it is still far from what I should wish to see it.

2490. Generally speaking, in workhouses are there not too few children to make good schools?—In some there are, but the number in each school varies immensely; in my district it varies, at this time, from 12 to 150.

2491. When you stated that so many criminal children had been in workhouses, did you suppose that the treatment in workhouses has led to crime?—I think, in some degree, it has, and that where the classification in workhouses is imperfect, as it still is in many workhouses, that it is the necessary result of keeping a child in a workhouse that he should be exposed to demoralization.

2492. Has the number of offences committed in the workhouses in your district for which boys have been sent to prison diminished since your appointment?—I have no means of knowing that. I wish to add, that I have only ascertained this fact as to the identity of a portion of criminal and pauper children in a few workhouses.

2493. I understood you to propose that both the workhouse schools and the criminal schools should be able to try for the Government prizes of education?—Do you mean the teachers?

2494. Both teachers and pupils.—The teachers and pupils already do in the workhouse schools.

2495. But in these penal schools?—In the penal schools I should like to see the same system introduced. Salaries will be the word, not prizes.

2496. The two would go together, would they not?—No; salary is the word, and the only kind of reward.

2497. Is the plan of education in the penal schools, which you propose as chiefly industrial, an injury to other schools, where in point of book instruction would they be capable of reaching the standard to which those salaries are attainable?—Yes, they would, because their own education, alike of the teacher and of the pupil-teacher, would be of a much higher order, and go much further than the education which would be taught to the general body of children in the school.

2498. I rather wished to know whether, to meet your views, it would be necessary to lower the standard of education at which those salaries could be obtained?—No; I should rather say raised, especially for schools of this important character, where almost everything would depend upon the zeal and competency of the teachers and trainers.

2499. You proposed that the penal schools should be partially supported by voluntary aid; have you any settled plan as to the amount of interference which you would permit such subscriber to have in the management of the schools?—What I think I said was, that I would not exclude voluntary aid; but I have not considered in what way it might be best admitted.

2500. Whether a certain subscription should entitle the subscriber, for instance, to a vote, or give a seat in the committee?—I have not considered that.

2501. When you talk of 10,000*l.* being your estimate for a building of this description, does that include the price of the land?—The site of the buildings alone; the rent of the ground is deducted from the produce.

2502. Mr. *C. Legh.*] In calculating 10,000*l.*, you say 400*l.* a year; have you taken into consideration the subject of repairs?—Yes, I have taken that into consideration.

2503. Still you think that 4*l.* per cent. would be a fair consideration?—I think it would.

2504. In general matters of building, is it not the fact that you calculate a good deal higher per centage than that to cover all expenses?—Perhaps you do; but I have found, as far as I have been able to ascertain, that the repairs would be very trifling; 10,000*l.* would be quite, in my opinion, an outside estimate.

2505. Have you given any consideration to the method of affording religious instruction in these establishments?—I consider that a chaplain whose whole time nearly would be devoted to it, would be essential.

2506. Attached to the establishment?—Yes.

2507. Do you apprehend any difficulty with regard to the differences of religious opinions?—I should scarcely anticipate that, especially for this class of children; I think that the difficulties that have arisen on that score, with regard to education, have applied chiefly to those children who belong, or are supposed to belong, to some denomination or to the church.

2508. You do not anticipate any difficulty connected with the clergy of different persuasions?—Very trifling, and in very exceptional cases only.

2509. For instance, supposing there were a good many Irish children, do you think that the Roman-catholics would feel any jealousy?—I should anticipate it rather from them than from any other denomination; but I take it that the

number of children who would be looked after by the Roman-catholic clergy would be a very small fraction of the whole number, and that a similar provision might be introduced such as already exists in the Poor Law Act, and which sufficiently respects religious liberty in the education that is now given in workhouses.

2510. In fact, you assimilate the arrangements in some degree to what goes on under the Poor Law in the workhouse schools?—Yes, I would; I have found it to work well, so much so that I have never met yet with the slightest objection to the children in the workhouses in my district being educated in the principles of the Church of England, except from the Roman-catholic clergy in three unions; and there the right to have the children withdrawn from religious instruction has been, to the best of knowledge, observed as regards those Roman-catholic children, without any difficulty arising, or obstruction to the general education in the school.

2511. In your observation, when any difficulties have arisen, have they been difficulties which have been suggested by the parents themselves, or by the clergy of the peculiar denomination to which the child might belong?—Exclusively by the Roman-catholic clergy.

2512. In the event of the quality of education in the reformatory schools being superior to that in the present workhouse schools, in your opinion would not that cause some jealousy amongst the poorer classes?—Yes.

2513. Do you not think that eventually the effect of that would be, that the quality of education in the workhouse schools would be heightened?—Yes, I think it would; and also the quality of the schools for the independent poor.

2514. So that, in point of fact, there is no objection in your mind to the quality of the education in the penal schools on that ground?—None whatever; I think it is a reason for improving that which is deficient, and not for lowering fresh institutions for education. I have endeavoured always to meet that jealousy which certainly does exist in the country now to a considerable extent, by that argument.

2515. *Chairman.*] In your estimate have you included the expense of a chaplain?—No, I have not included the expense of a chaplain.

2516. Because that will be something considerable?—I wish to state with regard to the expenses, that this is merely a perfectly rough sketch; as far as it goes it is correct; there may be some other incidental expenses which have not been inserted in what I have already said.

2517. Then there is medical attendance?—I apprehend that that would be balanced by what must be given in the gaols.

2518. There might be some other expenses; but do you think that, upon the whole, the amount which you have mentioned might be likely to cover, or, at all events, to approximate to the total sum?—Yes.

2519. Mr. *Adderley.*] You have given a marginal sum?—I have given 150 *l.*

2520. Mr. *T. Egerton.*] At what period do you propose that the boys should be placed at the penal school, after undergoing their term of imprisonment, or immediately on conviction?—Immediately on committal; I think it a most important thing to prevent their ever going into a common gaol at all.

2521. But they must go into gaol before trial?—No; I would commit them to the penal school if they were under a certain age.

2522. Do I understand you rightly when you say that, upon being brought brought before a magistrate, if the magistrate sees cause for putting him upon his trial, that the boy should at once be sent to a penal school before he is tried?—Yes, I should do that.

2523. And supposing he is declared to be not guilty at the trial?—He would leave it.

2524. *Chairman.*] Then you would treat the penal school as not only a place where he should be sent to complete his sentence, but also as a place of confinement preparatory to trial?—Just so; and I think that the correctional department of the school which I have suggested would afford ample facilities for so committing the child at once.

Lunæ, 14° *die Junii*, 1852.

MEMBERS PRESENT:

Mr. Baines.	The Marquis of Blandford.
Mr. Tatton Egerton.	Sir William Jolliffe.
Mr. Adderley.	Mr. S. Herbert.
Mr. Fitzroy.	Mr. Monckton Milnes.
Mr. Cornwall Legh.	Mr. Monsell.
Mr. Miles.	Mr. R. Palmer.

THE RIGHT HON. M. T. BAINES IN THE CHAIR.

George Hall, Esquire, called in; and Examined.

G. Hall, Esq.

14 June 1852.

2525. *Chairman.*] I BELIEVE you are Governor of Parkhurst Prison?—I am.

2526. Be good enough to describe the situation of that prison?—It is situate on the high road between West Cowes and Newport; it is distant about four miles south of Cowes, on the road to Newport.

2527. And about an equal distance from Newport?—It is a mile and a quarter from Newport.

2528. It is quite in the country?—Quite in the country.

2529. How long have you been governor of Parkhurst?—Nearly nine years.

2530. What were you before that time; were you in the army?—I was an officer in the army.

2531. You had had no similar pursuit before you were engaged at Parkhurst?—I had been in the civil service of the Government in South Australia, and I had taken much interest in the convict management in Van Diemen's Land; and I had read and inquired a good deal upon the subject of transportation, and its application.

2532. How long has the establishment of Parkhurst existed?—Thirteen years ast Christmas; thirteen and a half years.

2533. Was it then a new building?—No; it was an old military hospital, altered and adapted to its present use.

2534. How many inmates will the establishment of Parkhurst hold; what is its maximum number?—Five hundred and eighty; but the building is in course of alteration, and will soon afford accommodation to 48 more. It is intended that 628 shall be accommodated.

2535. There are now, how many?—Five hundred and seventy-eight prisoners at this present moment.

2536. Are they boys and girls?—All boys.

2537. That has been the case from the first?—From the first.

2538. How are those supplied to Parkhurst; how do they come there?—They are sent to Parkhurst, by order of the Secretary of State, from Millbank Prison, where they are collected from all the prisons of the country.

2539. Then they all come from Millbank?—They all come immediately from Millbank.

2540. Are they all boys under sentence of transportation?—They are all boys under sentence of transportation.

2541. According to the present system, then, no boys under sentence of imprisonment merely come to Parkhurst?—No one.

2542. And are they selected by the authorities at Millbank, or how are they sent to Parkhurst?—They are selected by the Directors of Convict Prisons, at Millbank.

2543. What are the limits as to age?—Eighteen is the maximum age. Any boy under 18, who may be sentenced to transportation, is eligible for Parkhurst.

2544. Are they sent under any system of conditional pardon to Parkhurst?—It is understood that, when their conduct is so good at Parkhurst that I feel warranted in recommending them to the Secretary of State for the indulgence of a ticket of leave, that they shall be embarked to Australia, there to receive their tickets of leave.

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2545. What are the documents that you receive when you receive a boy?—I receive a warrant from the Secretary for the Home Department, and an official notice from the governor of Millbank Prison that the boys are coming on a certain day.

2546. And is the warrant from the Secretary for the Home Department a mere warrant for the transference to your custody of boys from Millbank?—Precisely so.

2547. Expressing nothing more than that?—Expressing nothing more. I am authorized to receive into my custody such and such boys by name, who will be removed from Millbank Prison.

2548. Anything with respect to conditional pardon, then, is stated afterwards?—Yes.

2549. Then, when the boy comes to you, what is the first stage of your process?—He is first placed in the probationary ward, where he is confined in a separate cell.

2550. How long does he remain there?—Four months.

2551. Is it strictly separate?—The strictness of the separation has been a good deal relaxed within the last year and a half.

2552. Intentionally?—Intentionally. Originally a prisoner in the Probationary Ward was forbidden to speak at any time to any prisoner, or to have any communication with another prisoner.

2553. What is the kind of communication which he is now permitted to have?—During certain periods of the day, which are called recesses, when the boys come out of school, they are allowed to converse with each other in the yard in the presence of the schoolmaster, provided there is no boisterous merriment, or any unseemly conduct exhibited.

2554. And do they play with each other?—Yes.

2555. For how long is that?—For 20 minutes at the time.

2556. The boys are together, I suppose, during school hours?—During school hours they are together, but they are not allowed during that time to have any communication with each other, except concerning their lessons.

2557. Is this 20 minutes after each school time?—In the midst of each school period, as they come out during the forenoon, and once during the afternoon.

2558. They meet also in chapel, I suppose?—They meet also in chapel.

2559. Is that once a day?—Once a day; in the morning, from seven to hal - past seven.

2560. Have they any communication with each other in coming to or going from the chapel?—None.

2561. How is a boy occupied during his probationary period; part of his time, I understood, is spent in school?—The greatest part of his time is spent in school.

2562. What is he taught there?—He receives the elements of an English education; he is taught to read, to spell correctly, to write, and, as far as his capacities will allow him, to cypher during those four months.

2563. He has those three branches of instruction?—Yes.

2564. Is there any industrial occupation?—No, not while he is in that ward; there is subsequently. There is no industrial occupation beyond the mere cleaning of the ward in which they are confined; every part of the cleaning, scrubbing, and washing is done there by them.

2565. I think you say they continue in that ward for four months?—Four months.

2566. Is the same period applied to each case?—I have authority, if a boy's conduct is not satisfactory during those four months, to detain him for any longer period, not exceeding one additional month.

2567. Have you any authority to shorten the period?—I have no authority at present.

2568. Then a boy who behaves well has to go through the four months?—Yes, he has; but with reference to that point, perhaps I ought to state that since the strictness of the separation has been relaxed, it has been thought that four months is as short a period as would be proper to apply the separate system, so modified. Formerly, when the separation was more stringent, I had authority to release boys according to my discretion, at shorter periods than four months.

2569. Does it occur to you that any alteration can be made with advantage with

with regard to this first stage of the treatment of boys?—No amendment occurs to me; I think it is working very well.

2570. How long has this period of four months been the period prescribed?—Since the change has occurred four months has been fixed as the ordinary period; but when the system was more strict, I had authority to release boys within that period. Sometimes I had authority to detain boys longer for very bad conduct.

2571. Supposing a boy to have gone through his first stage, what becomes of him then?—He is then removed, according to his age, either to the general ward or to the junior ward.

2572. Be good enough to explain what you mean by the general ward and the junior ward?—According to the rules of the prison the junior ward should be limited to all boys of twelve years of age and under; but practically I find it necessary to place in the junior ward some boys whom I know to be more than twelve years of age, but who are manifestly children in constitution.

2573. Mr. *Adderley.*] What is the youngest age?—I do not think I have at present any boy under ten years of age.

2574. But what is the youngest age you ever recollect?—I recollect one of seven, and several of eight.

2575. *Chairman.*] Then you say that a boy, when he has gone through his four months, goes either into the general or into the junior ward?—Yes.

2576. You say that the junior ward is the ward into which boys of twelve years of age or under go?—The rule directs that I shall place in the junior ward all boys of 12 years of age and under.

2577. Then the general ward comprises all the rest?—Yes, all the rest.

2578. What is the system of treatment of a boy in the junior ward?—He attends school upon two half days of each week, and on the other five days he has industrial employment.

2579. On two half days the instruction is limited to school instruction, and upon the other half days it is solely industrial?—It is solely industrial.

2580. Of what does the school instruction consist?—The boys are taught to read, to write, to cypher; they are also taught sacred history, the elements of geography, English grammar, and other branches of useful knowledge, religious and secular, in which they receive oral instruction by plain and simple gallery lessons from the schoolmasters; and, on Sundays, they also receive instruction in the Church Catechism, and are taught to repeat the collect of the day and the gospel, which are explained to them by the master.

2581. Of what does the industrial occupation of such boys consist in the junior ward?—A class of about 30 boys are employed in the tailor's shop, making the clothing for the inmates of the prison; all the others are employed in agricultural labour.

2582. They are divided in that way; a certain portion of them are employed in tailoring, and the rest in agricultural employment?—Yes, with the exception of a party of 12, who are selected out of the others to pump water for the supply of the prison.

2583. But that tailoring will be for the establishment?—Yes.

2584. Exclusively?—Exclusively.

2585. Does each boy take his turn at that kind of work?—No, there is a certain class instructed in tailoring, and the others are employed at field labour.

2586. And have the boys who are taught tailoring, any instruction in agricultural work at all, or are they confined exclusively to tailoring?—They are confined exclusively to the tailor's shop.

2587. So that there is one class confined exclusively to tailoring, and the other classes exclusively to agricultural employment?—Yes; but the boys of the agricultural class are also instructed in knitting, at which occupation they are employed in wet weather.

2588. What is the nature of the agricultural employment?—Digging and cultivating the soil with the spade, for the growth of such roots as are consumed in the prison, either by the prisoners themselves or by the cattle.

2589. How much land have you belonging to the prison?—We have 55 acres of farm land immediately attached to the prison, permanently belonging to it, and 26 acres which have recently been rented from the Board of Ordnance.

2590. And then boys are worked on the land which you have described?—Yes, they are.

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2591. Who looks after them while they are there?—The warders of the prison, who have charge of them, look after them while they are within the walls, and they also superintend them when they are in the fields.

2592. Then they accompany them to the fields and superintend their labour?—Yes.

2593. Is it pretty hard work?—No; it is difficult to induce boys of this class to work very energetically.

2594. But do you require a good deal of work of them?—Unquestionably, a boy who does not work is reported, and punished if necessary.

2595. A certain task of work is set him; he does not do as much as he likes?—Each warder has the charge of a section of boys, and he is responsible for seeing that the whole of his class do as much work as they can do in the course of the day.

2596. That is the way, then, that they are employed in the junior class?—In the junior class.

2597. Are they considered to belong to the junior class until they arrive at 12 years of age, which you said was the limit?—Some of them remain in the junior ward till they are passed 12 years of age.

2598. But ordinarily a boy would pass out of the junior ward into the general class, when he has reached the age of 12 years?—Not ordinarily; it is according to the size of the boy.

2599. I find that there is no invariable rule in that respect; but you are invested with a discretion, which you exercise, in the removal of a boy from the junior ward to the general ward?—Precisely so.

2600. Perhaps it is usually about 12 years of age?—Generally beyond 12.

2601. What should you say, 13?—I should say frequently 16, before a boy is transferred.

2602. Then, upon his leaving the junior class, he goes into the general class?—It by no means always happens that a boy is transferred to the general ward, as many of them are sent to Australia directly from the junior ward.

2603. At present, supposing a boy removed into the general class, will you be good enough to inform the Committee in what way the general class are occupied and treated?—The great majority of them attend school likewise; all of them, in fact, for two half days in the week. The great majority of them are also employed in agricultural labour, but some are employed at various trades which are useful for the maintenance of the establishment.

2604. You have other trades besides tailoring for them?—They are employed at shoe-making, baking, carpentering, bricklaying, brick and tile-making; some as blacksmiths. They are also employed in cooking and in washing linen.

2605. Is all this work done for the purpose of the establishment?—For the purpose of the establishment only. Those boys are also employed in knitting in wet weather; they make all the stockings that are worn in the prison.

2606. What is the kind of industrial employment which these classes have?—They have labour in the fields, similar to that with regard to the junior wards.

2607. And I suppose, in a like manner, under the superintendence of warders?—Under a precisely similar system.

2608. These two classes, the juvenile and the general, I understand, comprise the whole that you have?—The whole, including also the probationary wards.

2609. What is the longest time a boy stays with you at Parkhurst?—He remains usually till I can recommend him as deserving a ticket of leave, or until he is considered to be incorrigible, and it is thought necessary to remove him for bad conduct.

2610. Remove him to where?—To Van Diemen's Land; which has been done in some few instances.

2611. Is that in pursuance of his original sentence?—In pursuance of his original sentence.

2612. And, of course, for the period limited by that sentence?—To the end of his sentence.

2613. Suppose he behaves well, what do you do then?—He is then recommended for a ticket of leave after about two years from the time of his reception at Parkhurst, if his conduct is very good.

2614. Who gives that ticket of leave?—The Secretary for the Home Department, on my recommendation of the prisoner, communicates with the Colonial Office; and instructions are sent out to the governor of a colony to furnish these

persons with tickets of leave upon their landing. I give to each prisoner that i embarked a certificate of "Exemplary," "Very good," or "Good," during the time of his imprisonment.

2615. Then, is he sent out under the direction of the Colonial Office?—He is embarked upon a convict ship, and sent out.

2616. Then it is in Australia or in the colony that he receives this ticket of leave?—It is.

2617. I understand that you make a recommendation, give a certificate, and then that the Secretary of State for the Home Department directs that he should be sent abroad; he is sent abroad, and when he arrives abroad, he receives what is called a ticket of leave?—Precisely. The Colonial Secretary receives notice from the colony that it is desirable that so many prisoners be sent out; then a communication is sent to the Home Department; and then a ship is selected, and 250 or 300 boys sent out.

2618. The Marquis of *Blandford.*] And do they receive that ticket of leave on their arrival in Van Diemen's Land?—Immediately on their arrival.

2619. *Chairman.*] That is the way a boy gets out?—Yes.

2620. Then of course you can only send that number for whom you are informed in that way that there is room?—I am informed by the directors of convict prisons that there is room in a certain ship for so many prisoners from Parkhurst.

2621. But that ship cannot take often, I presume, all you may have whom you may think deserving of it?—Frequently boys are detained for some weeks and months until there is an opportunity of embarking them.

2622. And they would get it sooner or later?—Yes.

2623. And you would send them in the order in which they had entitled themselves to it?—Yes.

2624. Then when they get out to this colony this ticket of leave is given?—Yes.

2625. Be good enough to describe what it is?—I believe it is a document which authorizes a prisoner to engage himself a servant to any master, to work at any occupation he choses, provided he remains within the limits of a certain prescribed district, and conducts himself well.

2626. These persons are registered in some way, I suppose, when they arrive?—They are. The Comptroller of Convicts has a register, in which all names are registered, with the name of the ship in which they arrive; and I believe they are required to present themselves once in three months.

2627. What steps are taken to look after them; is there any controlling power after that time?—Upon that subject I should not like to speak positively; but my belief is, that they are required to appear before an appointed officer.

2628. Who can give the Committee information upon that point?—Any one who has been resident in Van Diemen's Land. These boys write to me every now and then.

2629. The Marquis of *Blandford.*] Do you know how long this surveillance lasts?—It is very much according to the conduct of the prisoner; it is in the discretion of the Governor of the colony to give a conditional pardon as soon as he thinks proper.

2630. When you state that their conditional pardon is granted, do you mean that then the surveillance ceases?—It ceases, and the prisoner may then go to any of the other colonies, or to any part of the world he pleases, provided he does not return to England; the condition in the pardon being, that he shall not appear in the United Kingdom before the expiration of his sentence. He may go to America, or any other part of the world he pleases, but he must not return to England.

2631. *Chairman.*] Now come back to Parkhurst; what is the nature of the religious instruction that is given to the boys there?—All the prisoners attend chapel on each of the week day mornings, when a service is read by the chaplain, composed of selections from the Liturgy of the Church of England, followed by a lecture, or simple, plain exposition of portions of Scripture; the general ward and the probationary ward attend morning service in the same chapel; the junior ward attend a separate service in their school-room.

2632. Is there more than one person to whom the religious instruction of the inmates is entrusted?—There are two chaplains.

2633. How do you designate them; is one called the juvenile chaplain?—One

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is called the chaplain, and the other the chaplain and superintendent of the junior ward.

2634. The Marquis of *Blandford.*] Do you say that the probationary ward attend chapel every morning?—Yes, all the prisoners.

2635. I thought you stated, that there was sometimes attendance in the school-room?—The junior ward attend the chapel service in their school-room; we have only one chapel. On Sunday they all attend two full services, the service of the Church of England, and there is a sermon after each service; they also attend Sunday schools twice.

2636. *Chairman.*] Has a minister of any other denomination access to the prisoners?—The regulation of the prison is, that if any prisoner does not belong to the Church of England, and expresses a wish to be visited by a minister of his own religion, he is at liberty to express that wish to me, and I am bound to attend to it.

2637. Upon signifying his wish in that way, a minister of any other denomination will be admitted?—He would be admitted to visit the boy.

2638. But no minister of any other denomination attends regularly, systematically?—Not regularly.

2639. What is the kind of diet that you give to these boys?—The diet is a liberal one; they have for breakfast cocoa with milk sweetened with treacle, and bread.

2640. May I ask, is it the same every day?—The breakfast is the same every day; the dinner varies. The dinner on three days in the week consists of a pint of very substantial soup made of fresh beef, barley, potatoes, and onions, together with potatoes and bread.

2641. Mr. *Fitzroy.*] Have they potatoes the same day as they have soup?—Yes, they have a small quantity of potatoes besides soup; on the other four days they have three ounces and a half of beef boiled; they have broth composed of the liquor in which the beef has been boiled, with a small quantity of vegetables in it; and they have bread and potatoes.

2642. *Chairman.*] Have you mentioned all?—During the summer months they have fresh vegetables in the place of potatoes; they have fresh vegetables occasionally two or three times a week in lieu of potatoes, we grow all these vegetables on the land attached to the farm. These are vegetables cultivated by the prisoners: cabbages, turnips, carrots, and parsnips.

2643. Have you mentioned now all the articles of which the dinner consists?—Yes, I have.

2644. What is the next meal?—For supper they have oatmeal gruel, sweetened with treacle, and bread.

2645. Is it the same every day?—The same every day.

2646. Mr. *Fitzroy.*] How much; a pint?—A pint.

2647. *Chairman.*] Then they have three meals a day?—Three meals a day.

2648. Will you state to the Committee what the expense of the diet is?—It varies from year to year; this year it is estimated at about 6 *l.* for the year.

2649. Mr. *Fitzroy.*] Per head?—Per head.

2650. *Chairman.*] What are the punishments that are inflicted for bad behaviour?—Bread and water, with or without solitary confinement; occasionally confinement in a dark cell, and corporal punishment.

2651. Mr. *Fitzroy.*] How long in a dark cell; what is the maximum?—The maximum period is three days and nights; 72 hours.

2652. *Chairman.*] With solitary confinement?—The same period ordinarily, by my authority; but if I should consider it necessary to recommend a longer period of confinement, I can do so; reporting to the directors of convict prisons that I consider a prisoner ought to be detained longer than three days in solitary confinement, I can obtain authority for doing so.

2653. Mr. *Fitzroy.*] What is the maximum for solitary confinement?—The longest period allowed by the rules is 28 days; but I have never approached that.

2654. *Chairman.*] What is the longest period you have ever kept a boy in solitary confinement?—The longest period of solitary confinement on bread and water has been 10 days; and that is a considerable time ago.

2655. Mr. *Fitzroy.*] Have you any power of lengthening the time of confinement in a dark cell?—I may extend the period of solitary confinement on application to the directors.

2656. *Chairman.*] What are the corporal punishments which you made use of?—Whipping with a birch rod, the usual school-boy punishment.

2657. Have you any other instrument?—No.

2658. In whose presence is that punishment inflicted?—In the presence of the governor and the surgeon.

2659. Every punishment of that kind is in the presence of both, is it?—Every punishment of that kind is in the presence of both.

2660. I suppose you, as governor, fix the amount of punishment?—I do.

2661. The Marquis of *Blandford.*] Is the punishment of whipping considered an ultimate punishment, or is it one to which you have resorted before solitary confinement, or is it considered as a climax of punishment?—It rather rests with my discretion to determine which of those punishments is most likely to be successful; there are many boys that I should never think of inflicting it upon.

2662. Mr. *Fitzroy.*] Have you any return of the number of corporal punishmants inflicted during the year?—I have, unfortunately, not a return of that kind at this moment; but I furnish a return of that kind monthly to the directors, and will transmit a statement of the numbers to the Chairman, for the information of this Committee.

2663. The Marquis of *Blandford.*] Which have you most occasion to have recourse to?—Solitary confinement; corporal punishments are very few.

2664. *Chairman.*] How many persons are employed on the establishment at Parkhurst?—Altogether, persons of every class 59, including instructors in trades and schoolmasters, as well as discipline officers.

2665. You have no means, as I understand, of tracing the boys after they once get to the colony?—Not unless they voluntarily write to me.

2666. But you cannot count upon that at all?—I cannot.

2667. What becomes of them there, what proportion of them may turn out well, you have no means of hearing, except incidentally?—Except incidentally.

2668. Have changes taken place, within the last year or two, in the management of Parkhurst?—Considerable changes in the increase of industrial employment and the diminution of the period of school instruction.

2669. Will you be good enough to describe to the Committee what those changes are, as regards industrial employment, which have taken place during that period?—The prisoners have a much longer period now devoted to industrial employment than they formerly had.

2670. A greater portion of each day?—Instead of attending a school three days a week, they attend now only two half days, all the remainder of their time being given to industrial employment. They are also divided into smaller parties. The officer under whom they are employed has more direct and continuous superintendence of the same boys; the same prisoners are kept under the same officer more than was formerly the case, and the prisoners themselves have a direct stimulus to employment by being allowed to wear badges on their arms, indicative of their good conduct, and also being additionally fed on Sunday, having pudding on Sunday for good conduct and industry at their work; and also knowing that a small amount of a few pence every week is put to their credit as wages to be paid to them on their arrival in the colony.

2671. How has that change worked?—It has worked very satisfactorily indeed, and it has been very useful.

2672. What experience have you now had of this improved system?—Fifteen months.

2673. You say changes have also been made in the school education?—Yes.

2674. Is that merely as regards the amount of it?—Yes.

2675. Being reduced from four days to two half days?—From three days to two half days; one forenoon and one afternoon in each week.

2676. Are there any other changes you can point out to the Committee as having taken place lately in the system of Parkhurst?—I mentioned the system of giving rewards and badges for good conduct, which operates very usefully indeed, I think; and also that prisoners in the privileged class of good conduct are allowed to write to their friends once every three months, and to receive an answer from them.

2677. The Marquis of *Blandford.*] What do the rewards consist of?—The immediate reward is a piece of pudding on a Sunday; but the more important one is a small wage which is credited to the boy, which he does not receive in prison, but which is given to him when he arrives at Australia.

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2678. *Chairman.*] And he understands that that is accumulating, does he?—He does.

2679. Are there any improvements in the existing system which you can suggest?—I think that our present system is working very satisfactorily. There has been a great diminution in the number of punishments, and a great improvement in the general conduct of the prisoners.

2680. Sir *W. Jolliffe.*] I think you stated that the term which a prisoner is with you may be as long as two years: what quantity of accumulation would there be, or might there be, that would be due to him for his good conduct?—He must pass eight months at least before these wages can commence. It is not until a boy has conducted himself well for four months after coming out of the probationary ward that he can be admitted to the privileged class; then he would be entitled, in the general wards to 3*d.*, or in the junior ward, to 2*d.* a week for the first six months; and if his conduct was very good for six months, he might be advanced to a higher class, where he might have 6*d.* a week in the general wards, or 4*d.* in the junior ward.

2681. The first inducement held out to these boys, then, is to be elevated to a higher class?—Yes, to the evening school class.

2682. Then they may get to a third class, and there they may have an opportunity of getting as much as sixpence a week?—Precisely.

2683. Do you attribute great benefit to this increased industrial employment?—I do.

2684. What is the nature particularly of that employment?—The nature of the employment is cultivation of land, spade husbandry; cultivating a farm immediately attached to the prison.

2685. The necessary repairs of the clothes also, I suppose?—Making and repairing the clothes.

2686. You have not the advantage of having these boys selected because they are promising characters for Parkhurst?—They are selected at Millbank Prison by the directors; but I apprehend the directors are obliged to send almost as many as we have vacancies for.

2687. That depends more upon the age of the person?—Yes; during the last two years the directors have set aside the older boys, and sent, as far as they could, the younger ones only to Parkhurst; they have sent very few over seventeen.

2688. And in that way you get a very large number of bad characters?—We do.

2689. Have you found any difference in the progress that they have made towards reformation from the nature of the employment which they have been put to; do you find them more in one class of employment, and a greater progress made in amelioration than in another; do you recommend any particular employment that would be more conducive than any other?—It has not struck me that the employment has made any marked difference. I have not been able to perceive any marked improvement in that respect.

2690. But the greater quantity of employment now is somewhat of an agricultural nature?—Yes; the greater quantity of the prisoners are now employed in agricultural labour.

2691. Mr. *Adderley.*] Have you seen cause in any way to change your opinion upon any subject relating to Parkhurst, since you gave evidence in 1847 before the Lords' Committee?—I think my opinion remains the same.

2692. You have no particular point on which you wish to state a change of opinion?—No, there have been alterations made in the system.

2693. But your general opinion as to the success of the institution remains the same?—It does.

2694. When a boy comes to you, do you always know the crime with which he has been charged?—I do.

2695. And also the term for which he has been sentenced?—Yes, that is stated in a return which accompanies the caption; that is a document which is left in my possession.

2696. What is the general kind of crime of which boys sent to Parkhurst have been guilty?—Usually, stealing from the person, or from shops.

2697. Are there any more serious kinds of crime?—Occasionally it is housebreaking; there have been a few individual cases of manslaughter.

2698. There can be nothing less than what you have stated, because the boy must be under sentence of transportation?—Yes.

2699. *Chairman.*]

2699. *Chairman.*] That is a sentence that cannot be now passed for a simple larceny, can it?—No; it is in cases of felony, or larceny after previous conviction of felony.

2700. Mr. *Adderley.*] What, then, is the usual term of years for which boys sent to you are sentenced?—The larger number for seven years.

2701. And when they are sent out from you, is it for the remainder of that term, that surveillance is maintained over them in the colonies?—The period they have passed at Parkhurst is deducted from that term.

2702. The whole term, including the time spent at Parkhurst, is the term of the original sentence?—It is.

2703. Now, do the boys who are sent out to you as incorrigible, and the boys who are recommended for tickets of leave, go to the same colony?—No; we have sent some with tickets of leave to Van Diemen's Land, but most of those who have had tickets of leave have been sent to Port Philip or Western Australia.

2704. And the incorrigible to Van Diemen's Land?—Yes, or Norfolk Island.

2705. Now, does Van Diemen's Land make room for all those cases which you have?—Yes, for all those that we have had incorrigible.

2706. You have never had a surplus of cases which could not be disposed of in Van Diemen's Land?—No; for we have only had at long intervals to recommend the removal of any as incorrigible.

2707. How long have any been held over the time at which they should have left you, owing to there being no room in Van Diemen's Land for them?—The Directors of Prisons communicate to me when there is an opportunity for sending away any incorrigible persons, and they then desire me to report how many I have of that class.

2708. Suppose you have more cases than there are opportunities for, what becomes of the surplus of cases?—They must be retained; and I am bound, to the best of my ability, to keep them under good discipline till I shall have another opportunity.

2709. Has that been often the case?—I do not think it has; it has happened occasionally. From time to time there have been one or two whom I have had little hope of; and when I have communicated this to the Directors of Prisons, they have informed me that they will let me know when they will have an opportunity of sending them away.

2710. But, generally speaking, there is no difficulty?—Generally speaking, there is no difficulty.

2711. Now, what are the arrangements in the colony for receiving the boys?—Most of those who leave Parkhurst are sent out with tickets of leave, and immediately on landing at their destination they receive them.

2712. Who is the person to whom they are consigned, or what is the sort of place to which they go on landing?—In Western Australia and Van Diemen's Land, there is a comptroller of convicts.

2713. Is that the case in the other colonies?—It is not so at Port Philip.

2714. Then, what takes place there?—They are consigned to the governor of the colony, who gives directions how they shall be disposed of.

2715. Is there any officer at Port Philip in whose charge they are placed on arrival there?—The surgeon-superintendent of the ship in which they embark hands them over to the governor of the colony, who gives instructions how they shall be disposed of. I do not think there is any comptroller of convicts there.

2716. Have you ever known the case of a convict returning to England in spite of the terms of his conditional pardon?—Yes; I heard one instance last week.

2717. Be good enough to state that instance?—A boy who had been sent to Western Australia from Parkhurst was apprenticed on arrival there for two years; he was employed during those two years in a Government pilot-boat, and then appears to have conceived he was at liberty to go wherever he pleased. He did return to Aberdeen to his friends, and wrote last week to the chaplain at Parkhurst prison to say he was in difficulty; that he was apprehensive of being taken up as an escaped convict. That is the only instance I know of a Parkhurst prisoner returning before the expiration of his term. He wrote from Aberdeen to the chaplain of the prison to request a certificate that he was lawfully at liberty, as he conceived he had not transgressed the law at all in coming home.

2718. What was the reply of the chaplain?—I requested the chaplain of Parkhurst to write to him that he ought not to be in England for the next two years,

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and that the best course he could pursue was to go to sea for the next two years, otherwise he would be likely to be apprehended as a returned convict.

2719. Then probably you will hear nothing more of him?—Probably nothing.

2720. Do you suppose that more cases of returning may have taken place, though you may not have heard of them?—It is possible.

2721. There is, in fact, nothing to prevent it?—There is nothing to prevent it.

2722. Have you any cases of boys at Parkhurst restored to liberty in England?—There have been some cases.

2723. Have there been many cases?—There have been a few each year, but very few; they are all special cases.

2724. Are they cases of good conduct at Parkhurst?—Yes; they are cases in which the friends of the prisoners appeared to be very respectable parties, who have declared that they were willing to undertake the responsibility of their conducting themselves well; cases in which they have petitioned the Secretary for the Home Department, and promised that they would do their utmost endeavours to keep the boys out of bad company.

2725. You have stated all the changes which have taken place in your system at Parkhurst since 1847; are there any changes in the mode of sending boys to the colonies since 1847, or is the ticket-of-leave system the same now as it was then?—The ticket-of-leave system is the same; but the system of apprenticing boys in Western Australia, previous to 1850, has since been given up altogether, and all are sent now with tickets of leave; formerly, the younger boys used to be apprenticed, until they were old enough to become their own masters.

2726. Then there is a different classification; there were three classes, namely, the apprentice, the ticket of leave, and the incorrigible, and now there are only two?—Now there are only two classes.

2727. You stated that there was not much corporal punishment, and that only of a light description?—Yes; not of a severe description.

2728. Has there been any change in that respect?—None.

2729. Was not the cat used at Parkhurst?—Never, but in two instances, in which it was specially ordered for an aggravated offence.

2730. Specially ordered by the governor?—Specially ordered by one of the Visitors.

2731. Is the cat now wholly disused, or is it under the same regulations as it used to be?—It is wholly disused. It never was one of the regulations that it should be used at all.

2732. Has there been an order recently, or within the last two years, for the disuse of the cat?—I am not aware of it.

2733. *Chairman.*] How long is it since the latter of those two instances to which you have alluded occurred?—They were both punishments on the same day; those prisoners were both punished together.

2734. How long since is that?—I should say, speaking from memory, about six years.

2735. Mr. *Adderley.*] Do you recollect for what offence the cat was used in those two instances?—I cannot at this moment state.

2736. Parkhurst is surrounded with walls, is it not?—The prison itself is, but not the farm. The prisoners are taken beyond the walls to work upon the farm.

2737. Then those who are not worked on the farm are always within walls?—They are always within walls.

2738. And they are never let out?—They only go out to their employment; they only go out to their labour.

2739. How many outlets are there through the walls?—There is one from each building; there is one from the general ward prison, and one from the juvenile ward prison.

2740. With sentries at each gate?—No not at all; a gate porter, that is all.

2741. There have been escapes, have there not; or attempts to escape?—There have been attempts to escape, particularly from the land.

2742. Not to escape over the walls?—Occasionally there have been attempts to escape; some boys have got out over the wall, but those instances are very few.

2743. Do you consider that boys of this description could be treated with less restraint than you are obliged to establish at Parkhurst?—Do you imply by "boys

"boys of this description" such boys as we actually have at Parkhurst; because we get usually the boys who have been repeatedly guilty of crime; we get boys to whom prison discipline appears to be almost necessary. I think a very large number of boys might be managed upon a different system, who have not been repeatedly in prison, and who have not become confirmed bad characters.

2744. But with reference to boys who are as vicious as those you have had under your charge, from your experience are you decidedly of opinion that less restraint would not be sufficient?—I think that, under another system, if there were a smaller number, and upon a different system altogether, it might not be necessary to confine them within walls; but I think that, where there is a large number, as we have at present, that it is absolutely necessary to have walls.

2745. Now, comparing the systems of Red-hill and Parkhurst, if you consider they may be compared, should you think such a system as Red-hill might be applicable to boys such as you have at Parkhurst?—I think that the Red-hill system might be useful and applicable to a very large number of boys, but I think that there will always be boys for whom prison discipline will be necessary; boys for whom the Red-hill system, or any such system, will not be found sufficiently coercive and sufficiently restrictive. We have several prisoners now at Parkhurst who have been at Red-hill, and with whom the philanthropic system has proved unsuccessful, and who have required the sternest discipline of the penal ward at Parkhurst.

2746. Now, for those less vicious boys, do you consider that a system of coercion has a vicious effect, and that a system of shewing more confidence in the boys would be more advisable?—I think that, with the boys with whom we have to deal, it is quite necessary, to manage them in masses, to have a stringent system.

2747. I am now talking of the less vicious boys, whom you seem to make an exception?—If they could be kept entirely by themselves, I think that a system such as you describe might be very usefully employed.

2748. More usefully than within walls?—I am scarcely prepared to give a decided opinion upon that point; one would much wish to try that system with such boys, but I still apprehend that we should continually find some of them not moved by those gentler impulses to which you refer, and we must therefore bring them into prison, and under stricter restraint.

2749. Is there any considerable number of boys who have come under your charge whom you would have preferred to treat in a different way?—No, of those who have come under my charge I should say not; the exceptions are few.

2750. Does not a system of restraint create a system of resistance on the part of the boys, and a general plan of plotting to escape?—I should not say so as applied to Parkhurst, because there is so much opportunity of appealing to the judgment and to the better feelings of every individual prisoner that, although in masses they are required to be implicitly obedient to authority, every individual is brought frequently into immediate contact with those who advise with him and reason with him, and who appeal to his judgment and better feelings, and who endeavour to apply the most natural influences with a view to reform him.

2751. Still the whole system is what you consider a stern system; the boys look upon you as keeping them under forcible restraint?—They know that they are deprived of liberty, and they know that they must be obedient to authority; but that would be the case in every well regulated school; and there is certainly nothing more of stern discipline at Parkhurst than is essential to the boys' welfare.

2752. But still Parkhurst is decidedly a prison?—It is a prison, certainly.

2753. And looked upon as a prison?—Certainly.

2754. Now you stated that you got no information with reference to the boys who go out to Van Diemen's Land; do you know whether Government obtain any returns as to what becomes of them?—Yes; I believe that the Colonial Secretary gets frequent reports. Some of these returns have been printed in Parliamentary papers.

2755. Could you have access to those reports if you took particular interest in any case, and wished to know what had become of a boy; have you ever applied for such information?—I have not. Occasionally some of these reports have been sent to me for perusal, but I do not ordinarily see them.

2756. Have those reports which you have seen been generally favourable?—They have been generally of a very encouraging nature.

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2757. In what way have they been of a very encouraging nature?—They state that the boys who arrive in the colony are immediately taken up into employment, and that the settlers who have taken such boys in their employment wished to get others; that the boys who have been landed had been immediately employed, which is a proof that those who preceded them had given satisfaction to their masters.

2758. Sir *W. Jolliffe.*] And that those who had employed them were willing to take others?—Yes.

2759. Mr. *Adderley.*] Are you pretty well satisfied that two years spent by boys at Parkhurst has generally had an ameliorative influence upon their character?—Decidedly so.

2760. Would you attribute that to the discipline or to the education of the children?—To both combined.

2761. What is the feeling generally expressed by the boys as to going abroad, after being at Parkhurst?—They are all very anxious to go abroad.

2762. Will you be good enough to state why you think they are all anxious to go abroad?—They are anxious to go abroad, because they conceive that they will be exposed to less temptation than if they remained at home; they conceive that they will be removed from their former associations, and from their former temptation to crime; they conceive that they will have an opportunity of doing well, as they term it. Of course, some of them desire to return to their parents, and their parents often earnestly beg me to recommend that they be allowed to return home.

2763. Now, do these boys look upon it as transportation or as emigration?—More as emigration.

2764. Do you think, from your general knowledge of the subject, that transportation is a sentence which is feared by boys?—They look upon transportation as a sentence which they are sure to incur after proceeding to a certain extent in habits of dishonesty.

2765. Do they fear it as a sentence?—I am not prepared to say; they look upon it rather as a sentence that they must incur some day or other, that certainly it will be their fate some day or other to be transported.

2766. Mr. *Monsell.*] You, of course, are aware that, in the British colonies, there is a very large demand indeed for labour, and a very small supply; under those circumstances, do you consider that the mere fact that those who have already employed boys that have gone out from Parkhurst, are willing to take other boys when they arrive at the colony, is a sufficient proof that the reformatory system of discipline there is successful?—It is not perhaps in itself absolutely conclusive, because they might be glad to take any description of labour.

2767. Is it not the fact, that in the colonies, they are willing to take any description of labour?—It is.

2768. Have you received any information of a more precise character, which would enable you to give the Committee any account of the conduct of the boys when they go out to the colonies?—I have not received any information recently.

2769. But is it your general impression, from any information that you have received from the colonies, that the boys have really gone on well?—That a very large proportion of them really turn out to be useful colonists.

2770. For instance, on board ship, have you heard of their conduct as they have been going out?—We constantly have reports from the surgeons superintendent of the ships, and their reports are of a very satisfactory character.

2771. Is reformatory discipline at all carried on on board ship?—The care of the surgeon superintendent is chiefly directed to prevent any misconduct, or any contaminating influence aboard; I do not know that any thing of a reformatory character is attempted during the voyage.

2772. Would you consider it important to make any change in that particular with regard to the management of the boys on board, shipped from Parkhurst?—Very much has been done of late years in improving altogether the arrangements on board ship; there are now libraries, and more attention is paid in many other ways to the instruction of the boys as they are going out.

2773. Are the surgeons superintendent that you speak of, on board ship, of the same class as the surgeons recommended by the Passenger Act?—Not at all. They are all surgeons in the navy.

2774. Do religious teachers go out?—Yes; in every ship.

2775. Do you know, with regard to the different religious persuasions, how that is arranged?—I do not know. I know that an arrangement has recently been made for supplying books to Roman-catholic prisoners; there are Bibles and Prayer-books put on board ship for every prisoner.

2776. The Marquis of *Blandford.*] Can you state with what feeling going abroad is viewed by the boys upon these tickets of leave?—They are all very anxious to get them.

2777. Supposing the period of their punishment or their reformatory treatment were limited to a period to be passed in this country, and afterwards they were to be set at liberty in this country, do you think that would be preferred by them?—I think that many of them unquestionably would prefer to go home; but it has happened, by no means unfrequently, that a boy has said to me, "I want to go abroad; I don't want to stay at home, because it will be impossible for me to get on steadily or respectably; for directly I am free, I shall be surrounded by a number of persons who were formerly my bad associates."

2778. I suppose they would feel the fact of their going abroad as a termination of the treatment to which they are subject in the prison, and consequently they would look upon it as an agreeable change?—Decidedly; as being a great step to becoming entirely their own masters.

2779. Is it your opinion, that the penal system which is adopted at Parkhurst, might be with any advantage relaxed?—I do not think it could, for the class of prisoners we have at Parkhurst.

2780. Is this ground upon which the prisoners are employed, within the walls of the establishment?—No, it is at the outside.

2781. Mr. *Fitzroy.*] Do I understand you to say, that there was no military sentry at the gate?—None at the gate; the sentries are employed only round the boundaries of the farm, to check boys from running away from the farm into the forest which adjoins.

2782. They are employed about the boundaries of the land?—Yes.

2783. Then, in fact, the boys are under the superintendence of these military sentinels as well as the labour superintendents during their working hours?—The sentries have nothing at all to do with the occupation; they are merely stationed round the boundary to prevent any prisoners that might attempt to run away from going beyond the boundary.

2784. What number of sentinels are employed at Parkhurst?—We have two non-commissioned officers, and 10 sentries.

2785. Relieved every two hours?—No, they come out for the forenoon, and return to the barracks to their dinners. The same guard take the forenoon and the afternoon.

2786. And what number of warders are employed with the boys during their working hours; I think you said they were at work under the superintendence of warders?—The number of warders depends a good deal upon the occupation of the boys; but, on the average, there is one officer to about 18 prisoners.

2787. Are these warders allowed to punish the boys in any sort of way?—They can report a prisoner for misconduct, and recommend that he have a meal of bread and water; but they cannot award it themselves.

2788. Is their recommendation uniformly adopted, or is there any opportunity for the boy to speak for himself?—The officer who has a report to make against a boy, enters it in a book, and that book is constantly inspected by the deputy-governor or by myself, and the prisoner is examined upon the subject.

2789. But when this recommendation is made, it is of course, that the meal immediately ensuing should be stopped?—The officer immediately enters in a book the prisoner's number and the offence that he has committed. The matter is then investigated, in very trivial cases, by the deputy-governor, and in cases of any moment, by myself. The officer then makes his charge; the prisoner is brought before me or the deputy-governor, and asked if he has anything to say in extenuation of the offence, and the punishment is awarded according to the nature of the offence.

2790. Is this investigation uniformly always made before the meal is stopped?—Yes, always by the deputy-governor or myself, before the meal is stopped, except when the misconduct has occurred in the schools; then the chaplain recommends the meal to be stopped, and it is done, at his request, by my order.

2791. With reference to the diet, you say that on Sundays there is a portion of

of pudding given to those boys who have behaved well during the week?—Yes.

2792. Is there any other distinction made in diet of Sunday from any other day?—No other.

2793. No express dinner of any sort given on Sunday?—No.

2794. Have you any instances of the officers having been attacked by the boys during the working hours?—Yes; some instances occurred in the month of March last.

2795. Be good enough to state to the Committee the particulars of those cases?—Four instances have occurred in which warders were struck with spades by prisoners during their working hours. Upon two occasions the officers were struck upon the shins; and in one case the officer was very severely wounded by two heavy blows upon the head.

2796. Were these different officers?—Yes.

2797. And were they struck by different boys?—Yes.

2798. What punishment was awarded in these cases?—The prisoners were whipped, and placed in solitary confinement; and they were also sentenced to wear irons upon their legs.

2799. They were whipped and kept in solitary confinement; how long?—In the two last cases, which were very aggravated ones, they were kept in solitary confinement for two months; but they were not kept upon bread and water diet. In ordinary circumstances, when a prisoner is sentenced to solitary confinement for a short time, he has bread and water only as his food; but there is a class called the penal class, in which a prisoner may be detained for a period of several weeks, and there the diet is less than the ordinary diet; but still it is mixed diet, consisting of soup and potatoes and bread.

2800. By whose authority was this punishment awarded?—By order of the Directors of Prisons.

2801. After investigation of the circumstances?—Yes.

2802. How long were the irons worn by the boys?—During the term of their confinement.

2803. Two months?—Two months; and indeed they are still wearing them.

2804. The irons were to be worn, then, for two months?—No limit has been fixed; the irons have been worn for two months, and they will not be taken off until the prisoners' conduct is very satisfactory. They have been released from that penal class.

2805. What sort of irons did you you put upon them?—A ring round each ancle, and a light chain connecting the two; a chain which can be attached to the waistband of the trowsers.

2806. Do they sleep in those irons?—They are worn constantly.

2807. Has this punishment been introduced for the first time?—Specially, for those most atrocious cases.

2808. Is it the first time within your experience of irons being worn by prisoners?—No, it is not; because, two years ago, five prisoners that escaped were sentenced to wear one single iron; a ring about the ancle.

2809. Is that the only other instance?—The only other instance since I have been at Parkhurst.

2810. I understood you to state that the punishments were only stoppage of diet, solitary confinement, and whipping?—These irons are not the ordinary punishment; they have been specially ordered, by superior authority, for remarkable instances.

2811. Then these are the only two instances within your remembrance since you have held your situation in which they have been used?—Yes; but when Parkhurst was first occupied as a reformatory, previous to my appointment, every prisoner wore irons.

2812. Are those irons worn by way of security, or as a punishment?—As a punishment.

2813. You referred to the power that is given to you to detain a prisoner, after the four months in the probation ward, for a period not more than one month, when guilty of bad conduct?—Yes.

2814. Are there many instances of this extraordinary detention?—For a very long time past, there has been only one instance.

2815. Of what are they guilty generally when they are sentenced to this extraordinary detention; of what bad conduct can they be guilty?—Frequently there

are instances of impertinence to their officers, and there are also instances of wilful disorder at the school.

2816. The whole of the prisoners, as I understand you, are taught the Church Catechism, and to repeat the collect and the gospel of the day every Sunday?—Yes.

2817. And to attend church twice a day?—Twice upon the Sunday.

2818. And the Sunday school?—Yes.

2819. Is this a rule which is applied to all denominations?—To all denominations, unless they specially request to be exempted from it. As I mentioned before, a prisoner not a member of the Church of England has permission to request to be exempted from it.

2820. In the event of a parent making any objection to his child attending these services, would his objection be attended to?—No; the objection of a parent, I think, would not be entertained.

2821. I think I understood you to say that, notwithstanding the number at the prison, each individual is brought into contact with those who are directly to exercise a moral influence over him. How often do the chaplains see these boys, or what personal communication do they have with these boys?—The chaplains devote a considerable portion of their time every day to seeing prisoners individually. They arrange to see every prisoner in his turn for conversation and admonition. And besides that, prisoners who are specially desirous of seeing the chaplains, and consulting them out of their turn, have an opportunity of doing so.

2822. You have now, I believe, 578 boys at Parkhurst?—Yes.

2823. Upon an average, how often would the chaplain see each of these boys in the course of three months?—I should say each prisoner would have an opportunity of seeing the chaplain some eight or ten times.

2824. In the course of three months?—Yes.

2825. In fact, the chaplain is in personal communication with each of these boys once in every 10 days?—I should suppose about that time. One of the chaplains is now in attendance, and will state to the Committee exactly how that is.

2826. How long does service in the morning last?—Half an hour.

2827. Will you be good enough to describe to the Committee the way in which one of the inmates of the general ward would spend his day?—The bell rings at a quarter before six for him to get up and dress himself.

2828. Does the time vary according to the season?—No, it does not; it used to do, but now we have a uniform system throughout the year. At six o'clock their cells are unlocked, and the prisoners are taken out in parties to wash themselves. They are then employed in making their beds and cleaning their dormitories, and in cleaning all the galleries and sweeping about the prison, making every part of the prison about their dormitories and sleeping cells thoroughly clean. During that period, all boys who require to have their clothes or boots repaired, have an opportunity of collecting themselves, and being conducted by a warder to the workshop where their clothes are exchanged for repair. At 10 minutes before seven a bell rings for chapel. The prisoners are marched into chapel and seated there by seven o'clock. At seven o'clock, chapel service commences and continues to half-past seven. At half-past seven, breakfast; eight o'clock, the prisoners are marched out and distributed into their various parties for trades and labour, and different industrial occupations, and they continue at labour till 10 minutes before 12, when the bell rings for them to return to the prison. From 12 till a quarter past 12 they are allowed recreation; they are allowed to walk about in the yard; they are allowed to converse quietly with each other. At a quarter past 12 they are marched to dinner; at a quarter before one they come out again into the yard for 15 minutes' recreation. At one o'clock they parade for labour, and continue at labour till 10 minutes before six, and at 10 minutes before six they return to the prison. They are allowed recreation in their yard till 20 minutes past six, when the bell rings for supper; 20 minutes are allowed for supper, and then evening prayers take place. The evening prayers are read by the schoolmaster in the hall when the prisoners have had their supper. These evening prayers last 15 minutes.

2829. Why are these prayers read by the schoolmaster if you have two chaplains?—It has been so appointed, and it has always been the custom; the morning service is conducted by the chaplains, the evening service by the schoolmaster, because the prisoners cannot all be collected in the same place. The prayers are read to the prisoners of the probationary ward in the corridor of the probationary

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ward; to those of the general ward in the hall; and to those of the junior ward in the dining-hall of the junior ward.

2830. Therefore they are not altogether?—No.

2831. The chaplains, then, are reading prayers in the other parts of the building while the schoolmaster is reading prayers in the hall?—No, not in the evening.

2832. Do the chaplains attend the evening service at all?—They do not.

2833. Well, then, after prayers, what takes place?—After prayers those who are not in the privileged class are marched to their cells and locked up for the night; those who are in the privileged class for good conduct return to the school-room, where they pass an hour; during that hour, they are allowed either to write letters to their friends in their turn, or to read books from the prison library for their own amusement; or they can apply to the schoolmaster for any answer to questions, or for assistance in sums, or anything that they may be working at. In fact, they are allowed to choose their own occupation, and they have the assistance of the schoolmaster if they think proper to avail themselves of it.

2834. Do either of the chaplains attend the school?—Occasionally they look in to see that all is going on regularly and orderly.

2835. You have a library, have you not?—Yes.

2836. Are the complaints of the breach of discipline in their work very frequent?—Not so much of breach of discipline as indolence and inaction. The cases of insolence or disobedience occurring at work are really very few compared with the large number of prisoners that we have.

2837. Can you give me any idea of the average number of minor punishments inflicted in the course of the week?—I should say 30, perhaps, in the course of a week, if that be understood to include the privation of the extra diet on Sunday; the slightest punishment is taking away the boy's piece of pudding on a Sunday. If a boy does not work exemplarily and industriously, he would not be rewarded at all. I should say, that the reports of a meal of bread and water do not exceed from 12 to 15 a week, and there may be quite as many more, 12 or 15, entitled to pudding, but deprived of it because their conduct has not been perfectly satisfactory during the week.

2838. Those punishments are all awarded in consequence of the reports of the warders?—Yes.

2839. From what class are these wardens chosen?—A large number of them have been non-commissioned officers in the army who have been discharged with high characters, and are entitled to a pension; others have been respectable mechanics, or domestic servants of very good character.

2840. Have you any reason to imagine that the conduct of those warders who were attacked by the boys in March last, had been annoying or irritating to the boys in any degree?—I am quite sure that it had not. In the case of the man who received the most severe injury, who was struck by the boys on the head, he was a man of a peculiarly mild, inoffensive character, who had not been six weeks on the establishment; he was a man of high moral character, and exceedingly conscientious; a mild, kind man, who was deeply interested in the reformation of the boys.

2841. Mr. *Adderley*.] What was his office?—He was assistant warder.

2842. Mr. *Fitzroy*.] Have your duties allowed of your having much communication with the boys yourself?—I am continually engaged in the superintendence of the prisoners in all parts of the prison, and any one who has a request to make to me, has the opportunity of coming to me. I allow any boy who has been a month without any report against him, although he is not entitled to be admitted into the privileged class, to come and ask me whether I have heard from his friends; and I generally find them very anxious to know the latest news from their friends, and how they are.

2843. Do your duties permit you to give enough time to personal communication with the boys?—I believe that every prisoner is persuaded, and confident, that I have an interest in his real amendment; I am not so much in direct intercourse with the prisoners as I could wish, because I have a good deal of correspondence, and other office business to transact.

2844. Do you think that the system generally leads them to look to you as a person who has a deep interest in their future welfare, or rather as a person who is bound to carry out the sentence of the law upon them?—I think, if a boy comes

comes to the prison with the latter impression, that impression is removed from his mind by finding that all the officers about him are anxious to advise him; and to move him, by persuasion and by kindness, to conduct himself better, and to amend.

2845. I think you stated that very few communications have been received by yourself after the boys have left the prison, after they have been, in fact, expatriated; have you any reason to imagine that they hold any communication with the chaplain after they leave the prison?—Neither of us hear from them very regularly, nor do their friends. I say this, because the parents very frequently write to me about their sons, stating that they have not heard from them. I believe the principal reason why they do not write to me, or to their friends, is, that they cannot send a letter from Australia without pre-paying 8*d.* for it, which it is often difficult and inconvenient for them to obtain; and being frequently employed at bush stations in the country, they cannot send a letter to the post-office very frequently. Still letters are received every now and then, by myself, the chaplains, and other officers of the prison, in which the youths always express a kind and grateful feeling towards Parkhurst and all those who have had the superintendence of them there.

2846. Do you think that if the system were such as to impress upon the boys the idea that those who carried out the system at Parkhurst would feel an interest in their welfare, that they would be more induced to communicate the result of their progress abroad?—I believe that every boy is confident that all the officers about Parkhurst are interested in his real reformation, and therefore I do not think that under any circumstances they would.

2847. But the fact is that no communication takes place with the boys after they leave Parkhurst?—Not so; several of them do write to us, but this is not so generally the case as we could wish.

2848. Have you often occasion to mitigate punishments?—Frequently.

2849. It is stated in the report from Parkhurst for 1850, which I hold in my hand, that "A feverish restlessness, leading to frequent attempts to escape, beyond what has been know since the first formation of the prison, has been apparent among them;" has that state of things been altered in consequence of a change which has taken place during the last two years?—The most conclusive answer to that question is, that only one prisoner passed the boundary during the last year in attempting to escape.

2850. Do you think that the general tenor of the conduct of the boys has shown that they are sensible to an amelioration in their condition during the last two years?—Their conduct has very much improved, and that improvement I attribute mainly to their having more direct encouragement to conduct themselves well. I do not think any change has taken place in the treatment of their officers towards them.

2851. Do you think that the four months separate confinement is a necessary preliminary to the system?—I think it is an extremely useful one.

2852. Are these boys, while they are undergoing that portion of separate confinement, brought into more immediate contact with the chaplain than the others?—They are more frequently visited.

2853. Then is it with a view to there being more religious instruction, and the boys being more immediately worked upon in that way, that you recommend the system?—It is rather with a view to their minds being brought into a state in which they will be likely to reflect; it is rather with a view that they may be brought under the advice of the chaplain and myself, and being separated from the excitement which there always is amongst associates, that they may be brought to think quietly over their past conduct, and led to make resolutions to watch over their temper, and words, and actions, and strive to avoid evil advice and evil example.

2854. You would by no means recommend shortening the period of probation?—Certainly not.

2855. *Chairman.*] Would you recommend lengthening it?—I think at present the system works very well, and I would not recommend its being lengthened, unless the chaplain and myself were able to devote more time to visiting them; I think that as it is at present it is working very well.

2856. Mr. *T. Egerton.*] Are ever boys sent from the respective gaols in England without their going to Millbank?—Not usually; but in the year 1850, when the cholera was prevalent in Millbank Prison, it was not thought expedient

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to send boys there, and they were brought to Parkhurst directly from the county and borough prisons.

2857. Have you any means of knowing whether the boys who come to you from Millbank have been previously in prisons where separate confinement takes place?—Every prisoner brings a return attached to his caption, in which it is stated how long a time he has passed in separate confinement; it is one of the particulars which is always stated in the return which accompanies the caption.

2858. Do you perceive any difference between the boys who come from prisons where separate confinement takes place, and those where no such distinction takes place?—No, I have not remarked any difference.

2859. You stated just now, that you thought that the four months' detention was of great use to boys, and led their minds to think over their past life?—Yes, I did.

2860. Did you find that boys who come from prisons where separate confinement has taken place, and where they have therefore had that opportunity, have a better frame of mind than those who come from prisons where no such separate confinement takes place?—These boys have generally been in other prisons upon the associated system, as well as in those on the separate system.

2861. But do you perceive any moral difference in boys who come from prisons where separate confinement takes place, or from prisons where no such opportunities are afforded?—I think, perhaps, that those boys are more tractable who have been subjected to separate confinement; it is very important to give full success to the separate system, that prisoners under it should frequently be brought into communication with those who will give them advice and instruction.

2862. Are you not aware that in all cases where separate confinement in prisons may take place, both the chaplains and officers of the prison are bound constantly to visit them?—If prisoners have made truthful statements to me with regard to prisons in which they have been in separate confinement, I apprehend that sometimes they have not been very frequently visited; but I have only the prisoners' statements to depend upon in that respect.

2863. Then the general impression on your mind is, that there is very little difference, as far as the moral effect goes upon prisoners themselves, in prisons where separation has taken place?—No. I consider that it is very desirable indeed to commence with a period of separate confinement, and to give the boys moral and religious instruction during that time.

2864. I wish to know whether, in the boys whom you receive into prison, you see any moral distinction between those who have been in prisons where separate confinement takes place or not?—That has not struck me as being manifest or perceptible.

2865. Have you many boys sent to you who have been guilty of more than one or two offences?—Oh! yes, a very great majority of them. I have made a memorandum of the cases of some of the youngest boys, 11, 12, 13 and 14 years of age. I find the first case is that of a boy of 15, who does not appear to be more than 13 and a half, I should say from his appearance, and he has been 21 times in prison; once for felony, 19 times for misdemeanour, previously to the larceny for which he was transported; he has no father or mother. He is said by the governor of Westminster Bridewell to be an incorrigible bad boy. Another boy of 11 years of age, sentenced to seven years' transportation for breaking open an oak desk, had been twice previously convicted of felony. The next boy is of the age of 14, who had been eight times previously imprisoned. I should be happy to make a fair copy of this return.

2866. *Chairman.*] Will you be good enough to do so, and hand it in?—I will.

2867. Mr. *T. Egerton.*] Can you give the Committee at all an opinion as to the effect of a short or limited period of imprisonment before the boys go to Parkhurst; say two months, or six or eight months?—I think if they have been in ordinary prisons, in association with other prisoners, they come in a worse state to us, bold, and hardened, and impudent; I should prefer having a boy who had been confined some time in separation previous to his removal to Parkhurst.

2868. But as to the moral effect upon the boy himself, do you offer an opinion?—I think that a boy who has been in prison, in association with older prisoners, becomes decidedly hardened and impudent.

2869. But supposing a boy to be kept in confinement during that time; supposing he had had a larger or shorter imprisonment, would you have the means of judging

judging whether he had been in separate confinement or not?—Hardly; for my part I should prefer a boy as soon as possible after his sentence.

2870. Mr. *Fitzroy.*] At the end of a paragraph to the report to which I referred just now, I find these words, "In the meantime, we have directed every precaution to be taken for the prevention of escapes, and have no reason to doubt that they will be effectual." I should like to know what extra precautions were taken for the prevention of these escapes?—The employment of military sentries who were not employed previously.

2871. Were none employed at Parkhurst previous to February 1850?—It was in 1849, and the first six weeks of 1850, that a large number of prisoners escaped; it was at the latter end of February 1850 that the military guard was brought into use.

2872. What would be the result, in your opinion, of trusting more to the moral influence exercised upon the boys, and dispensing altogether with walls and military sentries?—I think that boys of the class sent to us at Parkhurst, very many of them would break through that rule; it would not apply to them; most of the boys sent to us are beyond the application of that rule.

2873. Mr. *M. Milnes.*] What is the state of the moral sense of the boys generally that come to Parkhurst, as to the guilt of their offences?—They appear to have very little sense of shame usually.

2874. Does it appear to you they are all clearly conscious of having committed a wrong to society?—No, I think that they have a very obscure perception of it indeed. They appear to have, generally speaking, no feeling of shame.

2875. Do they appear more to have regarded themselves as being in a state of war with society?—Just so.

2876. And that all means of attack upon society have been justifiable?—Quite so; that is my impression.

2877. Do you think, therefore, that a process chiefly of repression, as that of Parkhurst, succeeds in enlightening them sufficiently as to improving their impressions upon this point?—I think that our system could not be justly described as a system of repression. We have a system of repression, necessarily, for the maintenance of general order; but we strive beyond that to apply reformatory and moral influences to each individual.

2878. You think that your reformation, such as it is, proceeds not only from the process of repression, but also from other and higher influences?—I do think so.

2879. Do you think that a more enlightened system might produce equally good effects?—I think that we have a very large number of boys who would be altogether insensible to a more indulgent system, and would not be usefully moved by it, until they had been somewhat humbled by a system of stringent discipline. I will not say what might have been the case had those very same boys been subjected to a milder influence at an earlier stage of their criminal career; had they been taken up just when they were falling into crime, certainly, they probably might have been reclaimed.

2880. Do you find many boys excited by a sort of spirit of endurance and courage to resist you, and to become incapable of being affected by the discipline of the place?—I think that a very great deal depends upon the spirit and manner in which punishment is inflicted. I think, if a prisoner thought that his officer punished him in a vindictive spirit, that a disposition to resist and to try and brazen it out would be his object; but when he sees that his officer is sorry that he is obliged to bring him to punishment, and that his object in doing so is to bring him to a better state of mind, I think that it has a very beneficial influence upon the prisoner.

2881. Mr. *Adderley.*] Could you state generally what sort of education it is that boys who come to Parkhurst have had before they come there?—The large majority of them have attended school, but very many assert, when they come into prison, that they cannot read, or cannot read tolerably well. Many say to me that they have been to school, and could at one time read, but have since forgotten it, and some can only read words of one or two syllables.

2882. But does it turn out that they can read better than they state they can?—During the four months they get to read very fairly indeed, and to write legibly.

2883. Should you say that crime generally comes through ignorance, in their case, or that they are most of them educated?—I should say that most of them

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are uneducated; but ignorance has not been the cause of their crime, but their vicious disposition has prevented them from improving under the opportunities of instruction which have been afforded them.

2884. Are you aware that the Act which appoints the present inspectors, subjects Parkhurst, among other prisons, to inspection?—I believe Parkhurst might be inspected by the Government Inspector of the Home District, but it never has been, inasmuch as there have always been distinct and separate Visitors to Parkhurst. Previous to the appointment of the present Directors in August 1850, under 13 & 14 Vict. c. 39, there was a Board of Visitors to the Parkhurst Prison appointed by the Queen in Privy Council, under the provisions of the Act 1 & 2 Vict. c. 82.

2885. You stated that the separation of the boys in the probationary wards has been relaxed during the last year and a half; will you state the reason of that relaxation?—It was suggested by myself, and the chaplains collectively, to the Directors, that it would be well to allow these boys moderate latitude of communication with each other during short periods; opportunities of conversing with each other during certain periods of the day, in the presence and under the superintendence of the schoolmaster.

2886. What ill effects led you to allow communication?—We had frequent instances of petty misconduct in the probationary ward, which led us to think that the boys were suffering from restlessness and irritability from being so much under restraint; and we thought, if they were allowed a little relaxation during their recesses of school, they would be better able to apply their minds to their lessons during the hours of instruction. The result has proved such to be the case.

2887. In no part of the process of Parkhurst is there any classification as to criminality?—None.

2888. You stated, in 1847, that the expense of a boy was 22*l.* per annum; is there any difference since 1847?—Yes, it has been reduced; it does not amount quite to 19*l.* now, exclusive of the cost of buildings.

2889. What has been the reduction?—In articles of diet, and also in the number of officers in proportion to the number of prisoners. We have a smaller staff in proportion to the number of prisoners.

2890. As to diet, do you mean that the diet is reduced, or that the price of provisions has become cheaper?—The price of provisions has become cheaper.

2891. Mr. *C. Legh.*] I understood you to say that some of the boys employed at industrial labour, work energetically, and some not; do those who work willingly do so from any inducement to reward?—Yes; every warder keeps a book, in which he makes to me a report of the conduct of each individual prisoner, as to whether he has been industrious and obedient.

2892. What sort of rewards are given?—There is extra diet to be given immediately, and wages set to the boy's credit; and those who are idle or disobedient or unruly, forego these advantages.

2893. I understood you to say, that those who behaved well during the month, are allowed an hour in the school-room, when the other boys are sent to their dormitories?—Boys who have got into the evening school by continuous good conduct for several months; a boy must have conducted himself well for four months first.

2894. And then they are allowed an hour in the school in the evening?—Yes.

2895. Under the superintendence of the schoolmaster?—Yes.

2896. Have you ever tried them, allowing them to play at some game as a reward?—No, it would scarcely be practicable, because it is always in the evening after dusk.

2897. From your acquaintance with the disposition of boys, do you not think it would be a greater pleasure to them to be alone, to have a certain time for amusements, than it would be to be put into school at all with the schoolmaster?—Their muscles have been exercised at agricultural or other labour during the whole of the day, and they prefer a little rest probably in the evening.

2898. But would it not be a greater inducement to boys to behave well, if they were treated with that relaxation in being allowed to have games?—I do not think it would; the great object to them is, to be in a class of distinction; it matters very little what the distinction is, provided they are looked upon as distinguished from the ordinary class.

The Reverend *John Joseph Spear*, called in; and Examined.

2899. *Chairman.*] WHAT is your office at Parkhurst?—Chaplain and superintendent of the junior ward.

2900. There is another chaplain, we understand?—There is.

2901. How do you divide the duties between you; the chaplains?—I have the entire charge of the juvenile portion as chaplain and superintendent; as superintendent, subject to the governor; as chaplain quite disconnected from the other chaplain, but on Sundays we meet together in the chapel. All the prisoners assemble, both the senior and junior wards, twice on Sunday, and the senior chaplain takes one part of each service and I the other part, reading and preaching alternately.

2902. The junior ward, I believe, consists generally of those below 12 years of age, does it not?—We have sometimes had them 9 years of age, but very seldom; we have had a few boys 9, and some 10, 11, 12, 14, up to 16.

2903. In the juvenile ward?—In the juvenile ward.

2904. There is no invariable rule in that respect as to age?—The governor keeps as close to that as he possibly can, but it is difficult sometimes to know the age of the boys; we are obliged to judge by their appearance more than by their own representation, for we cannot always depend upon their statement.

2905. Will you be good enough to describe, what is the course of teaching which you go through with the juvenile class that belongs to you?—I commence, at seven o'clock in the morning, Divine service; prayers selected from the Liturgy, a hymn sung, a chapter of the Bible, or a portion of it read and explained, and applied to the boys according as I think necessary.

2906. How long does that service take?—Half an hour.

2907. Will you proceed with your duties for the day, if you please?—All offences come before me that are committed in the prison.

2908. Out of that class?—Out of the juvenile portion.

2909. Not beyond that?—Not beyond that; in the morning I investigate all reports of misconduct brought before me by the principal warder. Sometimes I feel it necessary to see the officer who has reported the boy, in order that I may inquire into the full particulars, as I am always very anxious indeed that no boy shall have any punishment that does not deserve it, and that he shall have every justice shown him. Sometimes the boy denies the charge that is preferred against him, and in that case I hear what the warder who has reported him has to say; and according to the offence, and the boy's previous character and his disposition, I order a punishment such as a diet of bread and water. I never give any other punishment; but if it is a serious case, such as requires close confinement for 24 hours or more, I report it to the governor.

2910. That is after morning service; the first thing?—Yes, and those boys I speak to; I explain to them why it is that I punish them, I give them advice about their conduct; I admonish them, and I try to convince them that it is from a fatherly feeling that I act so towards them; and that if my own son offended I should act towards him in a similar manner. I try to convince the boy, that from the deep interest that I feel for his welfare while he is in prison, when he leaves it, and also in the next world, I do so. I make it a particular point to impress these things upon every boy's mind.

2911. What are the punishments which you have authority to inflict?—I can give no further punishment than bread and water.

2912. In every other case you report to the governor?—I report to the governor.

2913. What is the next thing?—I read prayers in the infirmary, read a chapter from the Scriptures, generally give a short exposition, and visit the sick. In the course of the day's proceedings I see boys constantly in my office. I go round and visit the schools, while the schoolmaster is giving instruction, and I am frequently in the yard while the boys are there. The boys come up and have conversations with me, and I with them; and sometimes they have something to ask me. Sometimes they have certain complaints to make to me about other boys, and sometimes they have to ask me some little favour; and I take an opportunity, on those occasions, of speaking to the boys for their good. In fact, I do so, whenever an opportunity offers.

2914. Do you take any part in the school instruction at all?—None.

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2915. You merely exercise a kind of superintendence?—Yes; except on Sunday, when I take a Bible class of 20 boys; I have them entirely to myself. I go through the prison in that way. The boys read to me, and I examine them in the Scriptures and the Church Catechism; I speak to them in a familiar way, in such a way as is applicable to their position in the prison.

2916. How many persons are employed in giving school instruction?—There are two schoolmasters. Each schoolmaster attends every day in the week, taking the mornings and afternoons alternately, each keeping to his own class; they attend on Sundays, one in the morning, both in the afternoon; all the prisoners are present each time. The schoolmasters take the evening school in their turn.

2917. Do you exercise any superintendence over the industrial employment?—I constantly go amongst the boys, while at labour in the fields, and at their trade. Sometimes an officer reports to me that a boy is not working diligently, I say a few words to the boy, and encourage him to go on better; that has generally a very good effect.

2918. In fact, you go over all the departments of the prison?—All the departments of the juvenile ward. I visit every week the boys intended for the juvenile wards, who are placed by the governor in the probationary ward.

2919. From the moment they come into prison?—Yes; I am preparing them for the juvenile ward.

2920. Does the governor act upon your report at all in lengthening their term in the probationary ward; we have understood from him that that is not always the same; that he sometimes goes beyond the four months?—That has not been the case since the late alteration, which took place about a year or a year and a half ago. It is now confined to four months. The governor always asks me, "Do I think such a boy fit to come out?" And if I should say, "I did not; that probably it would be necessary to keep him in for another month," whatever I have recommended the governor has always acted upon.

2921. Did the governor consult you generally, then, in deciding?—Always.

2922. How long have you been at Parkhurst?—Five years.

2923. In your judgment, is that time of four months about the proper time, or would you recommend that it should be lengthened or shortened?—I think four months sufficient, except in particular cases; I think it has a very salutary influence upon the boys, and especially as they now receive more school instruction in that ward than they formerly did.

2924. We have understood that the system in the probationary ward has been to a certain degree relaxed?—Yes, it has been very much relaxed, because the boys are now allowed to go out and play in the yard, and attend school every day.

2925. In your judgment, what has been the effect of that relaxation?—I think the effect of the relaxation has been very good.

2926. Has any further improvement in that part of the system suggested itself to you as desirable?—I think none. I generally judge of those things more by facts and evidence; I find that the boys intended for the juvenile prison who are in the probationary ward are very seldom reported to me for any bad conduct. I have nothing to do with them in the school; they come within the province of the senior chaplain in that department.

2927. Does the senior chaplain, with regard to the general class, exercise the same kind of office that you do with regard to the juvenile class?—No; he is merely chaplain.

2928. And who exercises the same kind of general superintendence with regard to that class that you do with regard to the juvenile class?—The governor.

2929. Have you anything at all to do with the senior class?—None, except on a Sunday, when I preach to all the prisoners.

2930. You have stated to the Committee now the general nature of your duties during the course of the day; are there any other religious duties that you have to undertake in the evening?—No; the schoolmaster reads prayers in the evening, which does not take more than 10 or 15 minutes.

2931. You do not take any part in that?—No, because the chaplains are so much engaged in the prison during the day. I found it the practice, when I came to the prison, for the schoolmasters to read evening prayers in the hall, and it has continued so ever since.

2932. Are the boys always assembled together then?—Yes.

2933. And the schoolmaster then reads?—Yes.

2934. Are the chaplains present?—No.

2935. What are the services on the Sunday?—Two services, morning and afternoon.

2936. What does the morning service consist of?—The same as in the church; full service, all the prayers, and a sermon about half an hour long.

2937. Is there evening service?—No; there is afternoon service; full church service.

2938. We understood that there was some kind of instruction which you gave on a Sunday evening; what was that?—That is a Bible class.

2939. Be good enough to describe it?—I take a class of 20 boys, and thus go through the prison. I take 20 on one Sunday, 20 on another; and so on. I examine them in the Church Catechism, and explain it to them. I examine them in the Scriptures, and explain them; I have conversation with them; that is, I speak to them about their conduct in the prison in a homely and fatherly way, which they like very much; they are exceedingly pleased when it is their turn to attend that class.

2940. What kind of religious books have they?—They have a great variety of religious books.

2941. They have Bible and Prayer-book?—They have Bibles, Prayer-books, and a great variety of books from the Christian Knowledge Society, and from other societies: those books are always subjected to the inspection of the chaplains.

2942. And selected by the chaplains?—Yes.

2943. Do the ministers of any other denomination ever come to Parkhurst Prison for the purpose of communicating with the inmates?—Whenever any of the boys express a wish to see a clergyman of any other denomination, the governor is informed of it, and that clergyman is allowed to come.

2944. Is he sent for?—Yes, sent for specially by the governor.

2945. And, practically, has this frequently happened?—No; very seldom. I have never known it to occur in the junior prison; it has occurred, I believe, in the senior prison.

2946. And it is only upon the suggestion of the boy?—Only upon the suggestion of the boy.

2947. Is anybody else allowed to suggest?—No; the chaplain never interferes in any way whatever with the boy's peculiar views. We pursue a straightforward course, without any interference whatever with the boys, as to whether they are of this or the other denomination: we do not make any inquiries.

2948. Would you suggest any alteration that might be made with advantage with regard to Parkhurst?—There has been such a very great improvement made lately, that really I have thought over it a good deal; and cannot see that anything can be done for the improvement except in one particular; with reference to officers. We have a very good staff of officers in themselves; they are very faithful, upright men, and they are men who conscientiously discharge their duties; but in my opinion, I think men appointed to such an office ought to be trained for it. To manage children requires a very peculiar tact, just as a schoolmaster must be educated for teaching children and morally training them. So should those that have the superintendence, such as the warders have; it would be an improvement, I think, if we could get men trained for that purpose.

2949. Do you find, in point of fact, that many of the warders come there who have not been conversant with duties of that kind?—Yes; of course they must be all unacquainted with those duties until they get experience, which they cannot obtain for some time. Non-commissioned officers, of course, have never had to do with boys, and it requires a very peculiar tact to manage boys, and to get familiarized with their ways and dispositions. Non-commissioned officers have been accustomed to deal with men, and not with boys.

2950. What would you suggest in the way of training; what steps should you recommend to be taken with respect to the training of officers?—I do not know of any institution for training men for such a post except that for schoolmasters. I have always considered that if we had schoolmasters who are constantly coming into contact with the minds of the prisoners, morally and intellectually trained to instruct them in the several employments in which they are engaged, it would have a great influence towards the reformation of the prisoners; but, of course, that would increase the expense of the establishment.

2951. In no other respect does any alteration occur to you as advisable?—None whatever.

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2952. Sir *W. Jolliffe.*] Following out what you have just proposed, you think that more intellectual training than the officers appointed to Parkhurst have now the opportunity of acquiring, would be beneficial to boys under their care?—Schoolmasters are trained intellectually and morally, and they are also trained to manage youth; they are instructed for the purpose of instructing youth. Men coming from the army have not had that instruction, which it appears to me necessary for the intellectual and industrial habits of the boys.

2953. You think that if these officers were brought under a course of instruction, it would give them greater facilities of having control of these lads?—Yes.

2954. That is the only suggestion which has struck you?—That has been always an impression upon my mind, that if we had such a class of men as would instruct the prisoners in their various industrial employments, as well as in their intellectual, it would have a very great influence upon the general character of the boys.

2955. At present the schoolmasters do not superintend the out-door labour?—No; they are only with them during school hours.

2956. That is merely under another set of officers, warders?—Yes.

2957. The schoolmasters' duties are confined to the school?—Yes.

2958. What number of boys are there in your department?—About 200; we have accommodation for about 208; we are very seldom full; we vary from 190 to 200; sometimes a little more.

2959. How many have you of that class under probation in separate confinement?—In the probationary ward they vary; sometimes there are 11; it is according as they are transferred; sometimes there are 20, sometimes 25. I do not think we ever have more than that in the probationary ward.

2960. How long do they stay there?—Four months.

2961. You say there are seldom more than 25?—There are seldom more an 25; there may be 30 for the juvenile ward.

2962. Do you recollect how many there are at this moment?—Eleven.

2963. At what hours in the day do you generally visit those boys in that ward?—Between 12 and two o'clock; they are in the school at other times, except on the afternoon of Wednesdays and Saturdays.

2964. During those hours you visit them in their cells?—In their cells.

2965. How long is it before you find that that probationary system begins to work, in most cases, upon the minds of those boys?—I think it is very difficult to say; it is a short period, and it is not easy to determine at what time the improvement commences: we rather wait until the boys go into the general ward to see the result, but the great advantage is the education; they are at school every day, and I think that this produces a very moral influence upon them, as they conduct themselves much better since they have attended school more frequently. Before, they were in the cells too much, and I think that depressed and wearied their spirits; they were confined in the cells all day, except during the time when they were at school. That is very wearying to boys, and I think it irritated them, and made them restless; it was monotonous; it upset them a good deal; and the consequence was that we had more reports of a trifling nature made to us; but now they are so much more in the school there is a greater variety of employment, and the boys feel an interest in their education.

2966. Then, from what you have seen of the system, do you think that it is the more constant plan of giving intellectual enjoyment that holds out more prospect for the reformation of character?—So I believe; that where industrial, moral, religious, and intellectual habits go hand in hand, they work a reformation in the boys, these are now all co-operating together more than ever they did before. There was very little industrial employment for the boys, except when they were tailoring, prior to the year 1849, and the consequence was it was wearying to them from the monotony; and there were many more reports at that time, such as boys talking when they ought not to do so, and trifling things of that kind, which perhaps would not be noticed out of a prison. But since the industrial department has been extended to the cultivation of the land, there has been a great improvement.

2967. Do you conceive that the whole state of the boys under your care is more encouraging?—Very much more encouraging; I do not think anything could be better than the way in which the boys conduct themselves. I ought to mention, that in the chapel you might hear a pin fall to the ground; there is the greatest attention during Divine service, and when I walk into the school-room I always find

find the boys most orderly and attentive. I desired the schoolmaster to give me a full account of all the particulars, although I knew the regular routine; and he makes a remark at the end of a statement which he has given me, with respect to the conduct of the boys, which, if the Committee has no objection, I should like to read.

2968. I will ask you one more question first; the system at present pursued is one that gives you encouragement and hope with respect to these cases; is that so?—Very great, and I have frequently expressed to the director, Captain O' Brien, how very much pleased I am with the state of the prison; I say so conscientiously; we have facts to prove what we say. Although there was a great diminution of offences last year, 2,000 less than the year preceding, there has been this year 100 less up to the end of May than there was up to the end of May last year, so that the improvement is still progressing. These are facts which cannot be denied.

2969. *Chairman.*] Have the number of inmates been about the same both years?—Yes. The schoolmaster's written statement is as follows: "*Character and conduct.*—Having been master of a large central national school for five years, I can say from experience I have always considered the demeanour of the Parkhurst boys towards me (with some few exceptions) better than that of national schoolboys generally; they are more civil and respectful. I have been between ight and nine years a schoolmaster at Parkhurst Prison, and have rarely had a case of gross disobedience, disorder, or insubordination. Numbers have passed through the prison under my charge in the scholastic department, without the least minor punishment, or scarcely a word of reproof. I have not yet reported to you, reverend sir, half a-dozen boys this year, and those I have reported are for offences which would hardly be censured outside a prison. I could say more, but I turst the information herein contained will be sufficient for your present purpose." To this I can subscribe; I know it is the fact.

2970. Mr. *Adderley.*] Do you think you have gained the attachment of these boys to yourself?—It is difficult to say so positively; I feel that I have a right to their attachment. In the whole course of my experience, I never knew but one boy who manifested the slightest disrespect to me; let me go amongst those boys at any time, and if there should be the least murmur or buzz, by holding up my hand and saying, "Boys, this will not do," they become as quiet as possible.

2971. I suppose in most cases of boys who came under your care, they have not had so much kindness shown to them?—Of course, I cannot answer whether they have had or not, because I know nothing of them prior to their coming to the prison.

2972. Do you observe very rapidly the effect upon their minds of your kind manner?—So far as being respectful and obedient to my authority and the rules of the prison.

2973. Have you had much occasion, in your conversation with these boys, to ascertain what has led to their criminal course of life?—Yes.

2974. What should you say is the usual cause?—Principally their parents marrying a second time; a drunken father; and sometimes their getting into bad company themselves when they go to school, and being led away, and then they have run away from home. Many have had very kind parents, notwithstanding which they have acted in this way, and separated themselves from their homes.

2975. Should you say there are many instances in which an uncomfortable or harsh home has led a boy, not naturally of a vicious inclination, into crime?—I have met with many cases.

2976. Should you say that that was a large proportion of cases?—I should not. I should think that in a large proportion of cases it was not the parents' fault.

2977. You seem primarily to allude to cases of step-mothers, as if an uncomfortable home was the principal cause of a boy having got into vicious ways?—Yes, we find that to be the case from the boy's own testimony, in many instances.

2978. Still, you think that many boys have come to Parkhurst having respectable parents?—Yes, they have, and we have seen some of them come to Parkhurst, really most respectable and feeling persons; and judging by the kindness of their manner when they visit the prisoners, and the affectionate and parental tone of heir letters, and the boys in reply exculpating their parents and acknowledging the fault to be their own, I should say that very many have been kindly advised

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by their parents, but perhaps from the want of proper discipline at home, and by the influence of bad companions, they have been led astray.

2979. Should you say, from your knowledge of these boys, that many of them have been led into crime from absolute destitution and want?—I should not say many; at least it has not come under my observation that that has been the cause of their crime. I think it is principally getting into bad company as they were going to school, or as they have been running about in the London streets, or in manufacturing towns; but I think it is very much to be deplored that these boys should have been brought to this state through the carelessness or bad example of their parents, or the evil influence of depraved associates.

2980. It seemed to be Captain Hall's opinion, that the great proportion of boys at Parkhurst, if taken in an earlier stage in a criminal course, might have been dealt with more leniently by some institution, such as Red Hill; is that your opinion?—Quite so.

2981. And that coercion at Parkhurst is only rendered necessary by the advanced stage of crime in Parkhurst?—I do not think there is coercion at Parkhurst.

2982. The present nature of Parkhurst is only rendered necessary, in your opinion, by the advanced stage of criminality of the boys?—Yes; I think it is a pity that a little boy should be under the stigma of transportation; for it is a stigma which will remain with him as long as he lives, and which has not been perhaps altogether his own fault, but the fault of his parents, or being led away by older and more depraved companions. It is to be deplored that such boys should be stigmatized with the sentence of transportation, and I think it must have a very discouraging effect upon them when they go abroad. When they are in prison they do not mind it so much; but when they go abroad, and are taunted with "You are a convict," it must be most painful to their feelings.

2983. Are the boys at Parkhurst generally an intelligent class of boys?—Many of them are; and often the most intelligent are the most difficult boys that we have to deal with.

2984. You seldom have what you would call a stupid boy among them?—There are some exceedingly stupid, and so dull they will learn very little.

2985. Did you state the stage of instruction at which you generally find them come into Parkhurst? do you find that they have generally been instructed as far as to be able to read and write?—Very few, when they first come. I speak only now of the junior boys. The chaplain's report will give you information upon the subject with respect to the bigger boys; but I speak with reference to the junior boys; very few of them can either read or write.

2986. Have the most of them been at a school of some sort?—I think they have; most of them have been at some sort of school, but I think have attended it very irregularly, and they may have deceived their parents, by saying they have been at school when they have not.

2987. Then, generally speaking, you would say they were very ill-instructed?—Exceedingly so; they are the most depraved; they are of a very low grade indeed.

2988. As to matters of religion, are they generally very ignorant?—Very; exceedingly so.

2989. What is the youngest boy that you ever recollect to have come under your care at Parkhurst?—There was a boy came at nine.

2990. Is that the youngest?—Yes; and I have had a boy 10. The younger they are the more difficult I find it to manage them. The very small boys are often the most troublesome.

2991. Do you think that any evil effects are occasioned by there being no classification as to crime amongst the boys at Parkhurst?—I have no doubt, indeed I am certain, that the mixture of the bad boys with others that are better disposed, although it has a very bad influence for a time on some, still upon the whole I think that it works well, because it disciplines the boy for that class of society in which he is most likely to move when he leaves Parkhurst, for he will have to mix up with the world; and I think that if we have an evil upon the one hand we have a good upon the other, because the good sometimes influences the bad. But we watch those boys very carefully; they are brought before me, and I speak to them; in time those bad boys themselves become good; that is, their conduct and demeanour in the prison altogether alter, so that there is proof positive of no very great evil resulting from the mixture. There is a temporary evil, perhaps,

perhaps, and nothing more. I know some of the very worst boys, who have been the most unmanageable at first, have afterwards become the very best boys in the prison.

2992. Should you say, generally, by your experience, that those who have come charged with the worst crimes have been the worst boys?—No, I should say not; very far from it.

2993. Do you think that there is more relative difference of character between those boys, all put together, than between the boys of any school?—In some instances there is a great difference. Some boys are very quiet and mild, and are never once reported whilst they are in the prison.

2994. I mean, is there a greater mixture of characters in Parkhurst than in any school that might be found?—I do not think there is.

2995. Mr. *Fitzroy.*] I understood you to say, that the degree of coercion used at Parkhurst is only in consequence of the class of criminals you have to deal with; are you aware what class of criminals are sent to the establishment at Red-hill?—I am not.

2996. Are you aware of the system pursued at Red-hill?—You mean at the Philanthropic?

2997. Yes?—Yes; I know something of it.

2998. Do you see anything in the character of the criminals under your superintendence which would render the adoption of a system similar to that at Red-hill impossible or improper at Parkhurst?—It would be difficult for me to speak unless I saw the Philanthropic; I should not like to give an opinion unless I saw the system at work. We have frequently had boys sent to Parkhurst who had been previously under the system pursued at the Philanthropic, whom we have found very troublesome characters.

2999. You have spoken of the regularity and order observed in the school and chapel at Parkhurst, as a great proof of the moral improvement effected by the system; are you aware or not that the boys who have been most criminal in prison, are usually found to have been most obedient to all the rules of whatever prison they happen to have been sent to?—That those that have been worse before they come to prison have been the most obedient?

3000. Yes?—I have not found that so at Parkhurst.

3001. Mr. *M. Milnes.*] In your intercourse with the younger criminals at Parkhurst, have you found it difficult to bring the children committed to your care to a clear sense of right and wrong?—They very easily see the difference between right and wrong, but the difficulty with them is to practice the right, and avoid the wrong.

3002. Do you find that many of the children that come in, have a clear consciousness of the character of the offence they have committed?—I always inquire when they first come into the probationary ward, about their previous habits; their past conduct. I say, "What have you been convicted of?" They reply, "Stealing." "Well, don't you think that it is very wrong to steal?" They say "Yes;" and when I would ask them what was the eighth commandment, many of them could not tell me. Then I would ask them if they knew it was a very great sin in the sight of God; they would admit it, but not think much about it.

3003. Did many excuse themselves by saying they had been led into it by others?—Yes; generally saying they had been led astray by other boys.

3004. Did many accuse their parents?—Some of them did. I asked them what was the character of their parents. Some of them would tell me their father is a drunken man, and that their father and mother quarrel, and sometimes will turn them out of the house, and not let them sleep in it.

3005. Do you find any particular difference in the characters of the children who come from different localities?—I think the boys who come from the great manufacturing towns are principally the worst.

3006. Are the boys who come from Birmingham or Manchester, for instance, much the same as the boys who come from London?—About the same, I should think.

3007. Do you find the boys from the towns cleverer and more accessible to reason than boys from the country?—I do not; I have not observed any difference in that respect.

3008. Do you find the town boys more unwilling to work, more inclined to general idleness than the others?—There are some boys in the prison who would much

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much rather evade work altogether. I have not observed whether they are from the towns or from the country.

3009. How have you been enabled to come to the conclusion that a certain amount of solitary confinement is good for boys?—A certain amount, such as two or three days, do you mean?

3010. Yes?—By its having an influence upon boys. They know if they commit a serious offence such a punishment will be inflicted, which has a restraining influence very generally; and should they happen to be placed in solitary confinement, they are visited by the chaplain of the junior ward, and frequently have I found them very much humbled, and to express great contrition, promising not to be found there again; it sometimes so happens that we have to repeat the punishment, but not often.

3011. Do you find, generally speaking, when a boy comes out of solitary confinement, that he is humble and accessible to better feelings?—Generally so.

3012. Is the general tone of public opinion amongst the boys themselves satisfactory, in the sense of esteeming a well-behaved boy and a bad one?—Gerally it is; sometimes they are very depraved; and boys who are going on very badly themselves will prevent others whom they see inclined to do well going on well; and also, they try to bring those actually going on well to a level with themselves. But the discipline of the prison counteracts that influence very much, because it is carefully watched by the officers, and carefully treated; and if a boy is found trying to use that influence, and it comes to my notice, I have him brought to my office, speak to him on the evil of it, telling him that he is not only injuring others, but injuring himself, and thus I counteract it in a very great measure; but it is nothing now to what it was in former days.

3013. You think that the general tone of the establishment is very much improved?—Decidedly; much more than I could have anticipated, considering the class of boys who come to the prison.

3014. Have you reason to think that the experiment would be more useful if the number of boys was not so great who were assembled together?—I cannot say it would; as I find, when there are 200 together in the school on a Sunday, under one master, they behave remarkably well; nothing can be better.

3015. Have you much difficulty in managing the boys during the night?—No; not now at all; we used to have a great many complaints of the boys speaking in their cells, and talking to one another; but by carefully attending to that, and having every case reported, the practice has been quite put down. Now and then there may be a case of a boy, or two boys, talking in their cells, and if they are detected they are brought into my office, and if I find it deserves punishment I order them bread and water. The punishment is not at all severe in Parkhurst; it is only in very extreme cases that a boy is reported to the governor, to be whipped.

3016. *Chairman.*] Do you ever inflict any punishment yourself; do you use a cane, or anything of that sort?—Oh! never; I do not allow anything of the sort; if an officer does such a thing, he is at once reported to the governor, who deals with him as he thinks proper.

3017. Mr. *M. Milnes.*] Do you think that corporal punishment has a very good effect?—Yes; it is never resorted to except in very extreme cases. A boy must have had repeated admonition, much advice from me, and a good deal of minor punishment, and after all he must have committed a very serious offence, before I report him to the governor and recommend him to be whipped, allowing the governor to exercise his discretion after my recommendation.

3018. Is there not a sort of courage in the boys, from the bold and adventurous life which they have led, which makes them inaccessible to a punishment of that kind?—They have seldom got whipped a second time; in some cases it is so. I know one case of a boy who had been very bad in the juvenile prison; there could not have been a worse boy; he was whipped; from that day he never was once reported; and after he left, he wrote a letter from the ship, thanking me and the officers of Parkhurst for our treatment towards him, and for the whipping. I have heard boys say, "This is the last time I shall have a whipping," and so it has turned out; I should not be an advocate for dispensing with whipping, as that is a punishment which is never resorted to except in extreme cases, and has a most beneficial effect.

3019. Is there any communication kept up between the boys at present in Parkhurst and those who are out in the colonies?—None.

3020. How

3020. How do you think the boys themselves regard colonial life, to which they are destined; do they look upon it as a punishment, or as a reward?—I have known boys prefer going abroad to returning home, and they have assigned this reason: "If I were to go home, I should get amongst my former companions and be tempted; and I should rather go to another part of the world and try to do well, and to improve by the principles which have been inculcated in my mind." If the choice were given to the boys at Parkhurst to go home, I am quite sure that very few would prefer it.

Rev *J. J. Spear.*
14 June 1852.

Martis, 15° die Junii, 1852.

MEMBERS PRESENT.

Mr. Baines.	Mr. Monckton Milnes.
Mr. Fitzroy.	Mr. Cornwall Legh.
Mr. Miles.	Mr. Tatton Egerton.
Mr. Adderley.	Sir W. Jolliffe.
Mr. Palmer.	Mr. Headlam.

THE RIGHT HON. M. T. BAINES, IN THE CHAIR.

Alexander Thomson, Esq., called in; and Examined.

3021. *Chairman.*] I BELIEVE you are a Deputy-lieutenant and Justice of the Peace of the counties of Aberdeen and Kincardine, in Scotland?—I am.

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3022. Are you also Chairman of the Prisons Board of Aberdeenshire?—I am.

3023. You reside in the immediate neighbourhood of Aberdeen, I believe?—I reside about four miles from Aberdeen.

3024. Are you acquainted with the history of the Industrial Feeding Schools at Aberdeen?—I am. I have taken an interest in them from their first proposal down to the present time.

3025. When did those Industrial Feeding Schools originate?—The first was opened in October 1841; they were talked about a year before they were opened; the plan was laid about six months or twelve months before, and the first was opened in October 1841.

3026. Of what do those schools consist; how many schools are there?—There are in all four schools at present, and there is also a Child's Asylum.

3027. What is the first school?—The boys' school was the first school.

3028. What is that school?—It consists of neglected juveniles, and of boys who may commit petty offences, and it was opened with about 20 scholars, which number has been gradually increased to 60 or 70, at which it now stands.

3029. Was there a first girls' school?—The first girls' school was opened in June 1843.

3030. What is that?—Girls under similar cirumstances to the boys I have just described.

3031. Have you a second girls' school in Aberdeen?—A second girls' school, which arose from a difference of opinion which arose among the ladies who were directresses of the first, which has issued merely in the establishment of two good schools instead of one.

3032. Exactly the same kind?—Yes, and conducted in exactly the same manner, but with separate committees.

3033. Have you a school known by the name of Juvenile School for boys and girls, for distinction?—There is a school known by the name of the Juvenile School, which was opened in June 1845. The circumstance which led to the opening of that school was, our finding that with the other schools we had not reached the whole of the destitute classes; that there was still a considerable amount of begging and of petty offences; and we desired to have a new establishment which would descend to a lower grade of society than was reached by the schools we already had established. In order to accomplish this object, we availed ourselves of a Local Police Act, under which begging was an offence.

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3034. That is an Act for the town of Aberdeen?—It is an Act for the town of Aberdeen; orders were given to the police to lay hold at once of every little begging boy and girl in the town, and upon a certain day they were all seized; they were carried to a place which had been prepared for them as a school, I may say, forcibly established; 75 were captured.

3035. Was this done by the authority of the magistrates?—Why, it would be difficult to say, because the question has often been put to me, whether I had any doubt about the legality of the proceedings. I have not the slightest doubt that the proceeding was highly illegal, but at the same time it was highly expedient, and it has done a great deal of good; but several of the magistrates of the town gave their consent and concurrence, and, in fact, were managers of the school.

3036. And that is the way in which the junior class was formed?—It is. In May 1845, when the junior school was formed, that school began with 75, and now continues with, I think, upon an averge from 115 to 120, about half boys and half girls.

3037. Is there another school called the Child's Asylum?—It is not properly speaking a school, but it is the channel of admission to the school, which I shall explain to the Committee immediately. With regard to the Juvenile School, the first day, of course, was spent with very great difficulty with the children. They rebelled exceedingly against the treatment to which they were subjected; they were obliged to have their hands and faces washed, and were treated in a manner in which they had never been treated before; and the only thing that reconciled them to us was their getting three substantial meals of food; they had breakfast, dinner, and supper. They were then informed in the evening that they might return to school or not next day, according as they pleased, but that begging would not be suffered. They were told that if they begged they would be immediately apprehended, and not conveyed to school, but to prison. They were dismissed with this information, and next day the whole of them returned voluntarily, except three. Of the 75, 72 returned to the school, and the school has gone on ever since. The Child's Asylum, which you asked me about is of this nature: it originated in December 1846; the immediate object was to provide a place of refuge for very young, neglected, destitute children, but it was soon turned into the means of admitting the children to the schools which I have just described. The object of so employing it was to prevent abandoned or careless parents employing the schools, or employing begging in the streets, as a mode of getting admission to the school when their children were not in circumstances really to require it. We have, as in other large towns, a number of careless parents who would rather spend their money upon their own indulgences than upon the proper education of their children. We wished to prevent, as far as we could, children who are not proper objects from getting admission to the school; for this purpose the asylum was established, and it worked remarkably well. For the last five years, every mendicant child, every deserted child, and every child guilty of petty offences in Aberdeen, has been laid hold of by the police and brought to the asylum; and besides those who are laid hold of by the police, parents or other relatives or friends of destitute children may apply to the asylum to inquire into their circumstances. A very minute inquiry is made, and then the committee decide, to the best of their judgment, whether the child whose admission is sought is a fit object for the school or not. I may mention that, in the course of about five years, the time the asylum has existed, about 850 children have passed through it; about 850 cases have been examined by the committee, and almost all the children have been sent to the Industrial Schools. A few have been sent to country parishes to which they belonged, and a few have been discovered to be children of parents who were quite able to support and educate them; but the great majority have gone through the asylum to the Industrial Schools.

3038. Are all those schools supported by voluntary contribution?—Entirely by voluntary contribution.

3039. What are the conditions of admission into the Industrial Feeding Schools?—There is no condition whatever but poverty and destitution, and neglect on the part of the parent. Criminality is no bar to admission; that is to say, having committed a petty offence, or even being known to the police as being in the habit of committing petty offences, is no bar to admission. But, as

I will

I will presently explain to the Committee, we endeavour to get those children so young that very few can properly be called criminal; the great majority of the children have certainly been on the high way of becoming criminals, but can scarcely be said to have actually become so; of course there are exceptions, but that is the general rule. It will appear more clearly if I mention the ages of the children in the return of one year.

3040. What work is that from which you are about to read?—It is a small work which I took the liberty of publishing a few weeks ago.

3041. Is that a work entitled "Social Evils; their Causes and their Cure?"—It is.

3042. That is a work of your own?—It is.

3043. What page of that work are you now referring to?—Page 87; you will find that at one time we had in the boys' school, under seven years of age, four children; between seven and eight years of age, five children; at nine years of age, 11 children; under 10 years of age, 18; and under 11, eleven; so that the majority of the children there were under 11 years of age.

3044. You mentioned the age of the youngest child?—That school is our oldest school, and the youngest there is under seven.

3045. Mr. *Adderley*.] You have none under six?—In some of the schools, as you will find, we have; if you will turn to page 95 you will find the average ages of the girls are also mostly under 11; but if you turn to page 106, which contains the tables of the Juvenile School, three are three years of age; ten are four years of age; two are five years of age; ten are six years of age, and so on.

3046. *Chairman*.] What is the daily routine of this school; is it the same at each?—It is almost the same; so very nearly the same that it is not worth making any difference in the description.

3047. You have stated that one will be a description of the rest?—Yes.

3048. Now, be good enough to describe the daily routine of one of these schools?—The routine of the school is a mixture of teaching, of lessons, of industrial training, and of feeding; they meet in summer at seven in the morning, and at eight in winter; the first half hour they have a Bible lesson, they sing a hymn or a psalm, and have prayers and religious instruction; the next hour they have lessons in geography, in the popular branches of natural history such as you see in infant schools, by means of maps and prints on the walls; these lessons occupy them from an hour and a half to two hours; then at nine they have breakfast; breakfast usually lasts half an hour, and then they have relaxation for half an hour; then they assemble in the school-room or work-room at 10, and they work till two; four hours of work.

3049. What kind of work?—That varies very much, according to what we are able to get so as to employ them profitably. I shall speak to the work more minutely, if you will allow me, hereafter; at two they have dinner, and some short time for play and relaxation, and at three they meet again for one hour of work; then from four to seven, three hours are spent in teaching them reading, writing, and arithmetic; at seven they have supper, after which they have short religious exercises, family worship, and then they are dismissed for the night; that is, they return to their homes. On Saturday they do not meet after two; on that day they very generally accompany some of their teachers or assistant teachers to a walk in the country, for relaxation; in short, the Saturday is given to them as a half holiday. On Sunday we take charge of them the whole day, as well as on the week days; they meet at half-past eight for devotion; they breakfast at nine; there is worship in the school-room from 10 to 12; they then have an early dinner; they are then sent home, and every exertion is made by the teachers and by the friends of their families to get them to go along with their parents to their own place of worship, or rather to cause them to induce their parents to go; they meet again at five in the evening; they have then two hours of the usual school instruction from the Bible and from the "Shorter Catechism," which you are aware is the general mode of instructing children in Scotland of almost all denominations; and at seven they have their suppers, as on week days, and after that they are dismissed to their homes.

3050. What is the description of work the children do in the schools?—They are taught tailoring and shoemaking, and these are the two standard sorts of work for them; they are also employed in picking oakum, picking hair for upholsterers,

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holsterers, and at times in making nets, salmon and herring nets, for fishing. In fact, the net-making has proved to be by far the most profitable mode of employing them, and if we had sufficient demand for it, we could make our schools almost self-sustaining; but of course the demand for fishing-nets is but local, and only lasts for a certain part of the year; and there is this great disadvantage with respect to that mode of employment, viz., that it does not teach the children what is useful to them in after-life, the number of net-makers required being of course very limited; and we are always very anxious to teach them shoemaking and tailoring, as far as we can, because those are trades which are always of use to them. The boys' school, as I mentioned, contains the older scholars; and we find their average earnings amount to 1 *l.* 16 *s.* each in the course of the year; but in the girls' school, although it is very easy to give them employment, it is hardly possible to get them profitable employment; and in the Juvenile School, the children being from three up to six or eight years of age, we find that there their average is only from 2 *s.* to 4 *s.* a year, because the nature of the work that they can do is of very little value.

3051. Then what is the kind of work which the girls do?—The work of the girls is sewing and knitting; knitting stockings and sewing. One great object is to get both boys and girls put into self-sustaining situations as quickly as possible, and therefore, before they are half educated, if any opening occurs for them they are sure to be sent away to it. The 1 *l.* 16 *s.* comes to a little more than one-half the expense of feeding them; their work actually pays more than half the expense of their food.

3052. The produce of their labour is disposed of out of doors?—Yes, or employed for the purposes of the school, and credited as if it was sold out of doors.

3053. What is the kind of food that you give these children?—We give them oatmeal porridge and milk, a very common food in Scotland, which they have for breakfast and for supper; for dinner they have generally soup made of ox-heads, similar soup to what is used in prisons and other such institutions, and we find that we can feed them at a much lower rate than is generally supposed; we find that we can feed them at a penny and a penny farthing a day.

3054. Each?—Each.

3055. What is the effect of this system upon the health and appearance of the children?—The effect is very remarkable; so much so, that I have frequently taken friends from distant parts of the country to visit these schools, and when I have taken them there, I have had considerable difficulty in persuading them that the children whom they there saw were actually the most neglected and the most depraved of the juveniles that we could possibly collect in the town of Aberdeen. In the course of a very few weeks their appearance begins to change, and in a few months they become healthy, happy-looking children: they then lose all that peculiar look which honourable Members of the Committee must have remarked in the outcast juveniles of our towns; that is probably to be traced chiefly to the regularity with which they receive their food; the food is very plain, but it is wholesome, and it is furnished to them with great regularity. I may mention, that when the school was first established we were told that the attendance would be extremely irregular. Now our experience has been quite the contrary; I believe that the attendance has been better than the average attendance at ordinary day schools. No compulsion, of course, can be resorted to, except the threat of committing to prison if they went out begging; but all the compulsion which we have found necessary has been the attraction of the three good, substantial meals every day, and the kindness with which they are invariably treated in school.

3056. What kind of punishment have you for any misconduct?—Punishments are almost unknown, but it is the ordinary school punishment when necessary. It is a slight flogging with a leather strap, such as is generally used in schools in Scotland, but, in fact, such a thing is hardly ever required. That is a question which has often been put to me in England. I have been asked about what rules and regulations we had with respect to punishment, and my invariable answer has been that we had none. The matter is entirely left to the discretion of the schoolmaster; if he is fit for his post, of course he will not abuse the trust which is reposed in him. I may mention, that in all the years the schools have existed, I have known no instance whatever of com-

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plaints of severe treatment; there has been no instance of complaint of severity on the part of the master.

3057. How do you provide masters and mistresses for this school?—We have never yet found much difficulty in providing them; but sometimes we have been afraid we would have had difficulty. I believe that many teachers exist, and that if they were only sought they would be found. We have got one or two very good teachers, who are men who have been in the army, and have been discharged. One or two of them have turned out very well. We have got persons who have been acting as Sabbath-school teachers, and persons who have been practising as assistants in other schools.

3058. Are they paid?—All of them; they give their whole time, all the days in the week, not excepting Sunday, and of course they are all paid.

3059. What kind of payment is made to them?—The payment that is made to them is but small, from 20 *l.* to 25 *l.* a year; that is the ordinary rate; but some of them in the South of Scotland are as high as 30 *l.* I think female teachers have from 15 *l.* to 25 *l.*

3060. Is that besides board?—They are allowed, if they choose, to partake of the food, of which they superintend the preparation; but it is not considered part of their payment.

3061. Is there any lodging?—No.

3062. They are not provided with lodging?—The male teachers have not, but in the female schools the teachers have lodging.

3063. As to food; I understand you they may partake, if they please, of the food of the children, though still receiving the money payment, whether they partake of the food or not?—Yes.

3064. Mr. *Adderley*.] Do they partake of that food?—I understand in general they do.

3065. *Chairman*.] What is the number of children altogether in the schools?—About 400 in all the schools.

3066. And how many masters and mistresses have you?—There is a head master and an assistant master, I think, in each school, and a head mistress and assistant mistress. One person can hardly manage a school of this sort; you require to have two persons, especially when the whole days are closely occupied. We have no difficulty in getting assistant teachers, because the class of society from which they come are beginning to look to that kind of teaching as a provision for themselves in life. They are beginning to think that if they can be well trained in an industrial school, they will be sure of getting a good situation; and we accordingly have sent several to different parts of the country from Aberdeen.

3067. Have some of these teachers been with you from the first?—One, I think, has been with us from the first; one or two have died, and our best female teachers have got married and left us.

3068. If you were asked to describe the distinguishing features of the Aberdeen Industrial Feeding Schools, how would you do so?—They differ from an ordinary school in giving food, and also giving industrial training and teaching; in short, some mode of occupation for the hand as well as giving the ordinary school instruction; and they differ from an hospital or a poorhouse in not providing any lodging; none of the children are lodged, but occasionally exceptional cases occur when we are obliged to look out for lodgings in the neighbourhood for them; but that is no part of the school; it has nothing to do with it. They are not, as in the case of a poor-law union or hospital, which are so numerous in Scotland, taken into a house and nurtured like plants in a hotbed, and thereby, as I firmly believe, made quite unfit for the struggle which they often have to maintain in life. But they are not placed in our schools in any false position; they are left as nearly as possible in the state and condition in which Providence has placed them; we only give them the food and instruction they require, and we leave them all the little difficulties which often children have to struggle with at a very early period, to learn the practical lesson of making their own way in the world when they go out into it. Children trained up in an hospital or poorhouse have every want provided for them; they have every comfort they can desire; they know nothing of the difficulties of the world at all, until they are all of a sudden thrown out into it, and then they have to make the best of it they can. They know nothing at all of the world into which they are thrown, and the great advantage of our system

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is, as I hold it to be, that they are not so removed from the station in which they are placed as not to be allowed to get all the practical lessons they can from their circumstances in life. They are taught industrial habits, and they are furnished with the ordinary needful instruction. Of course the value of the work does not consist so much in what is earned by the children, as in giving them the habits of industry, habits which we are all aware are equally valuable to rich and poor. Then there is a very important difference between our Industrial Feeding Schools and your very valuable Ragged Schools in England, particularly in London. You are aware that your schools take charge of the children for only two or three hours in the evening. I think of the 116 or 120 schools which now exist in London, there are only about 20 which are feeding schools like our Aberdeen Schools (some of my friends behind me will be able to give you more accurate details in connexion with those schools than I can), but we take charge of the children from Monday morning to Sunday night; we never lose sight of them until about eight in the evening of each day. Now in most of the London schools they are at liberty to do what they please during the whole day. They may be well employed or ill employed during the whole of the day; they are only assembled in the evening for instruction. There is no doubt that Lord Shaftesbury and his friends have done the greatest possible good by these schools, but still I do not think they are what is required to meet the great and growing evil of our destitute juveniles. We must not leave them to their own devices the greater part of the day, but we must do our best to endeavour to keep sight of them the whole day, and see that they do not get into mischief. Of course that cannot be done by the admirable unpaid agents which you have in England. As you are aware, almost all the teachers here are unpaid, but if you employ them all day long you must pay them; if they depend on their own exertions for their support they cannot without payment give their whole day to the school. But if the system is to be extended, and if it is to become truly valuable to the country, then I think it must be done by adopting the Aberdeen, or rather the Scotch, plan of keeping sight of the children the whole of each day of the week, and as a necessary consequence, paying the teachers.

3069. This, I understand you to say, has been your plan from the first?—From the very first.

3070. You have made it your business, no doubt, to mark the results of this system?—Yes; I have endeavoured to do so as far as I could.

3071. Will you favour the Committee with those results?—I will. The first and most obvious result I have already noticed is the appearance of the children; the next result, perhaps, is the total absence of quarrelling and fighting in the schools; such a thing as a quarrel or a fight amongst the children is almost unknown, and their kindness to each other is at times very remarkable, and I believe that the whole system of the success of the schools lies in the constant application of what I may call the law of kindness by the masters to the children, and by the children to each other. But there are returns which have been prepared, which I think throw great light on the working of these schools, particularly as to the number of juvenile offenders who have been committed to the prisons of Aberdeen. During the year 1841 there were 61 juvenile offenders, 12 years of age and under, committed; these have gradually fallen down, until, in the year 1851, the eleventh year of the schools, the 61 commitments of juveniles of 12 and under had fallen to five. But there is another and still more striking proof of the effect of these schools: after the boys' school was opened for two years the funds fell short; we were in a state very nearly approaching to bankruptcy, and the only way in which we could get over the difficulty was by reducing the number of children; turning out, in short, the greater part of them from the school; the consequence was, that in the year 1843 the juvenile commitments to the prison of Aberdeen rose to 63, two more than they were in 1841, when our schools were opened; but then in the following year we were again able to admit the whole number of applicants who appeared to be suitable objects, and the numbers committed gradually decreased, until in the last year the number of juvenile criminals has fallen from 61 to five.

3072. What was the year in which that increase took place?—In 1843.

3073. You have referred the Committee to three years, viz., 1841, 1843, and 1851; have you an account of each year?—Yes.

3074. At what page of your work is that?—At page 125.

3075. The work to which you have already referred?—Yes. Another proof I wish to give the Committee is this: you will remember that the juvenile schools were composed of the sweepings of the streets of Aberdeen; of course, when we began to examine into the circumstances of the children thus detained, into the nature of the prize we had captured, we found that some of them were quite unfit to remain in the school, some of them were children of parents comparatively wealthy, and others of them were of the most confirmed bad habits; and of these 75 a part were dismissed from the school, and others deserted. Of the deserters we are aware that six have been committed to prison; but since the first year, although there have been from 85 to 105 of these children in constant attendance at the school, not one of them has been apprehended for any offence, great or small. There have been from 85 to 105 in daily attendance, and there has not, from that class which formerly filled our prisons, been one recruit sent to join the ranks of crime. From this school about 70 have been placed in situations of a permanent and self-sustaining nature, of one sort and another, and, from all the information which we can get, the whole of them are doing well, and from the masters and mistresses we have been able to get no complaints at all. At the date of the last report, which is now nearly a year ago, there were 115 upon the roll, and of these 95 were under 10 years of age; and there, I believe, the great cause of our success is to be found, that we get them before they have established bad habits, or at least before they have become confirmed in them, and hence the great reduction in the number of juvenile prisoners; they have almost vanished from the prison.

3076. What has been the result, so far as street begging has gone?—Street begging has almost entirely disappeared; at the same time, Aberdeen is a manufacturing town of about 70,000 inhabitants; in addition to its being a manufacturing town, it is a seaport town also; so that it is impossible wholly to exclude them; but whenever any little beggar appears he is immediately laid hold of by the police, and carried to the Child's Asylum; so that, in point of fact, begging is almost at an end.

3077. Had you much of that before the schools were opened?—Before the schools were opened, the police reported that there were 280 habitual juvenile beggars, many of them criminals, and almost the whole of these have disappeared.

3078. I think you say that you are at the head of the Prisons Board in Aberdeenshire?—Yes.

3079. You have turned your attention, no doubt, a good deal to the subject of prisons?—Yes.

3080. Have you any means of instituting a comparison between the expense of institutions of this kind and the expense of prisons?—We find that the expense of our prisoners in Scotland is about 16 guineas a year; the average expense of all prisoners, old and young, is about that sum: your expenses in England, from the returns I have seen, are about 24 *l.*, and both these sums are altogether independent of the costly buildings in which they are lodged. We find that the expenses in a workhouse or union-house are generally from 10 *l.* to 12 *l.* a year; but in our Industrial Schools the expense of training up a boy is about 3 *l.* 15 *s.*; I mean after deducting the amount of his earnings. The total expense is about 5 *l.* a year; deducting the earnings, it is about 3 *l.* 15 *s.* In the girls' school the expense is still smaller. By the last report of Sheriff Watson's school, the annual expense of each girl is 2 *l.* 8 *s.* 6 *d.*, and the Sheriff assured me the other day that he expected to be able to get it still lower before he had done with it. Now contrast that with the expense of a prisoner, especially if he goes through the usual career of a prisoner. I find from inquiry that a practised thief, a regular thief, generally spends about three years in prison before he is transported. His three years in prison cost from 60 *l.* to 70 *l.*, and his expense of transportation is variously stated, say from 150 *l.* to 250 *l.*; altogether it costs, say, about 300 *l.* before you have done with him; and he is not better when you have done with him, or very little better, than he is at the commencement. Now if you send him to an Industrial School, and keep him there for five years, which is much more than the usual period we are able to keep them, he would not have cost 20 *l.*, and he would have been put fairly in the way of getting a living. He would have been thoroughly educated in the

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first principles of religion and the elements of reading, writing, and arithmetic; he would have been thoroughly taught industrial habits, all of which can now be done for 20 *l.* in the case of a boy, and for 14 *l.* in the case of a girl. Now compare this with the enormous expenditure in some of our prisons in England; for instance, if you look at the expenditure in the cases of Pentonville and York Castle, the latter in particular, where I find every prisoner sits in a house which costs the public 60 *l.* a year; each cell in York Castle cost 1,200 *l.*; each felon confined there, boy or girl, pays a house-rent of 60 *l.* a year; nay, the very walls that surround York Castle have cost an enormous sum of money, above 100,000 *l.*, all of which was raised by voluntary assessment on the county of York; one cannot help thinking with regret that the sum thus expended would have very nearly supplied all Britain, with the exception of London, with the needful industrial school buildings.

3081. If I understand your system right, it may be described as rather preventive than reformatory?—It is; we have always considered it so, and it has always been the earnest wish of the managers that it should be a means of prevention rather than of cure. There is a scheme at present in agitation, brought forward by the same gentleman who founded the schools, Mr. Sheriff Watson, for the purpose of establishing a school, in which boys and girls who have been, perhaps, two or three times in prison, and who are too old for our industrial schools, shall be placed; but the whole matter at present is merely proposed and talked about. I hope, however, something may be done; nothing has yet been done; at least, nothing that I can report upon.

3082. Have you turned your attention to the question of compulsory attendance at these schools?—Yes; of course that is a matter that we have attended to a good deal; we have not found it necessary hitherto to have compulsory attendance. The children have found the benefit of attending so great, that they are very willing to come; but we are now finding that there is a class that we cannot get at for want of some compulsory power; the children of parents who are perfectly able to support them and educate them, but who, from their own bad principles and bad conduct, will not take charge of their children, but leave them to grow up a torment to themselves and to their neighbours. We have no power of dealing with such a class, and we have proposed once or twice to have a slight alteration made in the law of Scotland, which would enable us to treat them as we think they ought to be treated. I admit that there is a very great difficulty in the question of compulsory education, but the view I am inclined to take of the matter is this, that if the parent wilfully and deliberately neglects his duty to his child, the State is entitled to come forward in the place of the parent, and to say, "You shall not bring up your child to a life of crime. If you will not do your duty to your child, we will do that duty for you." And I do not see that any parent has a right to find fault with the State for saying so. I would not interfere in any way with the parent if he were willing to do his duty in educating his child, but I would not allow the child to grow up uneducated.

3083. Have you made any application to Government for assistance in respect of your schools?—Yes; assistance has been got within the last 12 months from the Privy Council, not for the payment of teachers, but to assist in building and purchasing school-houses. The difficulty we meet with in applying to the Privy Council is, that this is not a simple school, because we give food as well as instruction; now, our reply to that is, these children cannot attend a school where they are not fed: if you take a poor starving child off the streets, it is of no use to offer him instruction in the first instance; you must give him food; he is more aware of his want of food than he is aware of his want of instruction, and you cannot possibly get them to attend a school where he is not fed. But I do hope that the Lords of the Privy Council will take the matter into their favourable consideration, and relax the rule which they have hitherto enforced. If we get power to compel attendance, we wish also to have the power to force the parents to pay the expenses of that attendance, because we only wish to compel attendance where the parents themselves are able, although they neglect, to educate their children.

3084. What are the defects in the law as it now stands, to remedy which you think it would be advisable to apply for legislative aid?—The great difficulty arises from this: when is a child a proper object of punishment? You are aware of the distinction made by the penal law of France upon the subject, where,

where, up to a certain age, children are presumed to have acted without discernment, and are therefore, instead of being sent to prison, sent to school. We would wish, as I have just stated, to have a similar power given to our magistrates. At this moment, if a child is brought before myself, for example, as a magistrate, I have no power not to award punishment; I am bound to do it; I should be glad to have the power of sending the child to school, instead of sending it to prison. The sending a child to prison is a very serious matter, when you come to reflect upon it; you destroy his or her character probably for life; if you once give them the taint of a prison mark, it is very difficult for them to shake it off; and it is a very great hardship upon a poor infant that he should have this stigma upon him. I have known instances of children of six or seven years of age sent to prison for petty theft, and once a justice of the peace actually convicted and sentenced a child of 18 months along with its mother, and of course they have been registered in the prison books, and they have thus been registered as convicted thieves for life.

3085. Can a child of that age by the law of Scotland be punished for theft?—I believe so.

3086. Then your law of Scotland differs from ours in England in that respect?—I believe so.

3087. There is no limitation as to age with you?—There is no limitation as to age with us.

3088. Then a child of any age is liable to the criminal law of Scotland?—Decidedly; there is no distinction; it is left to the discretion of the judge.

3089. Probably you would think that your criminal law requires looking after a little upon that point?—I do decidedly think so.

3090. Is there any other suggestion that you have to make for the improvement of the law by the aid of the Legislature?—I think these are the principal suggestions which I have now made.

3091. I suppose a general power of detention and enabling magistrates to sentence a child to school instead of to a prison?—Yes.

3092. That is what you would think advisable in the whole of the empire?—Yes.

3093. That there should be special attention paid to your own criminal law as to the age at which children are responsible?—Yes; that is a question which has lately been much discussed in Scotland.

3094. Have you turned your attention at all to the subject of a reformatory school proper?—I have thought of it, and I have seen some of the establishments in England. I have visited Red Hill and Parkhurst for the purpose of getting information, but we have not, as I stated before, done anything more than talk about it as yet; but I do hope that we shall have an establishment set on foot soon.

3095. In how many other places in Scotland besides Aberdeen are there Industrial Feeding Schools now established?—I do not know whether I can give you the exact number, but in Edinburgh there are those noticed at pages 133–139 of the book which I have referred to; there are two in Edinburgh; two in Dundee; there is one at Perth, which I think you will find at page 130 of my book.

3096. Are there any in Ayr?—Yes; Ayr, Glasgow, Greenock, Dumfries, Stranraer, and, I think, one or two others have been opened since.

3097. Have you ascertained what has been the result with regard to juvenile offenders in any of those places?—The only return I have seen of any importance is the one that I have got from Dundee.

3098. Is that at page 131 of your book?—It is at page 131.

3099. Are all these schools which you have enumerated upon the Aberdeen model?—Yes, they are all on the same model.

3100. Are they all supplied with teachers from Aberdeen?—No, not all of them, but several have gone from the Aberdeen schools. In general, they have trained up teachers for themselves.

3101. You have referred to that return from Dundee; what does that return show?—The return from Dundee shows that the juvenile offenders in 1846 were 212, and up to the 10th December 1850 they had fallen down to 75.

3102. Did their school originate in 1846?—I think it originated in 1844 or 1845, but they did not come out with a report till 1846; but Dundee is a town similar to Aberdeen, and would require fully as much industrial training

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to overtake the whole of the population; they have only two schools, and we have four.

3103. That is a seaport town also?—Yes, it is a seaport town, as similar to Aberdeen as possible.

3104. Do you know anything of the results in Edinburgh?—The results in Edinburgh are also very satisfactory, but there are only two schools there, and of course a much larger population than either Aberdeen or Dundee. The governor of Edinburgh prison gives the following table of the diminution of juvenile crime for four years:—

1847,	Centesimal proportion under 14	-	-	5·6
1848,	Ditto - - - ditto	-	-	3·7
1849,	Ditto - - - ditto	-	-	2·9
1850,	Ditto - - - ditto	-	-	1·3

That is a diminution of three-fourths in about four years.

3105. You are reading a passage at page 133 of your work, are you not?—I am.

3106. I observe it is stated there, that "of the number under 14 years of age committed from the 24th December 1849 to the 24th December 1850, only about one-third belonged to, or had been resident in, Edinburgh. The remaining two-thirds were principally from Ireland"?—Yes.

3107. Will you state now, as we are upon the Edinburgh school, what is the population of Edinburgh?—I think about 150,000.

3108. And they have two schools?—They have only two schools; they are both larger than our Aberdeen schools; there are about 250 at one, and 150 at another, making nearly 400 at the two schools in that city.

3109. What is the population of Aberdeen?—About 70,000.

3110. How many schools have you there?—Four; and if you include the Child's Asylum, five.

3111. Mr. *Miles*.] What is the number of scholars in your schools?—About 400. We have nearly as many scholars in our schools as they have in Edinburgh.

3112. *Chairman*.] Do you know anything about the schools in Glasgow?—I know very little about them; they have only one school in that city.

3113. With regard to the other places you have named, I understand you to say that you have no precise information as to the results?—No tables have been furnished as to the effects of crime from any other town than Aberdeen. I hope they will begin to attend to that subject.

3114. Have you had the means of communication with any of the attendants or directors of those schools, so as to know whether they work well?—Yes; I have visited several, and read the reports of most of them; they are generally working very well.

3115. You have now had about 11 years' experience in your schools?—Yes.

3116. Does it occur to you that any improvement in the system can now be adopted?—I am not aware of any. I think that as the system at present works, it is as good as it can be; but we are greatly in want of additional funds; we feel ourselves very much hampered, because it is the poverty of the school which obliges us to send out all the children so young from school. If we had more funds we would be able to keep them for a longer period, and, we hope, thus to do them a great deal more good.

3117. In your judgment, in what manner might those funds be most advantageously applied?—My own impression is very strong that these schools will never be worked except by active, personal, local superintendence. What I wish to see is, aid given liberally by Government to personal and local superintendence. I do not wish to see Government take it up as a great centralized system, wholly worked out by paid agents. Although we must pay our teachers, still the whole of the direction is unpaid, voluntary agency, and a very great amount of trouble indeed is taken in our Scotch towns by the ladies and gentlemen who take the chief interest in these schools, and any step which would supersede that interest, or remove it, I would think it very fatal indeed to the system. The schools are quite different from schools for other classes of society. The children require to be watched, their every motion and every word, until they are brought into proper order, and a constant superintendence must

must be exercised over them; and then to get at the full good of the school the children must be followed home. Those who take an interest in the working classes get at the parents through the children, and we find many instances of good done by the instruction carried home by the children to the parents; and we find remarkable instances of their carrying away food, portions of their small allowance, to give to their parents, or brothers or sisters. That is a thing which they are allowed to do if they choose; we do not interfere with them when they do it, because it is a part of their own share, and it is not an uncommon occurrence for them to carry home a portion of food to their families. It is also remarkable in this respect, and I have seen various instances of it; we do not profess to clothe children, but when a poor little urchin, almost naked, is brought to the school, the little fellows who have been there a few months, and who have been clothed, will actually subscribe clothes off their own backs to assist in clothing another little fellow who has more recently come there; that I have seen over and over again.

3118. Is there any other point upon the subject of the inquiry in which we are engaged upon which you can furnish the Committee with information?—I am not aware. I think we have pretty nearly exhausted the subject. I would only add, that I consider the essential value and efficiency of our schools to depend on the strictly religious character of our whole operations, and the kindness constantly exercised towards the children.

3119. Mr. *T. Egerton.*] I think you did not tell us the total amount of your subscriptions, the expense of your schools, and the amount of subscriptions?—I am not very sure if I have it here; but I can send it to you. The total income of the Aberdeen Industrial School Association for 1851–52, which takes charge of the boys' school and the juvenile school, was 874 *l.*, and the expenditure 745 *l.*; and the average attendance about 180 at the two schools. The income of Sheriff Watson's female school in 1851 was 172 *l.*, and the expenditure 166 *l.*; average attendance about 60.

3120. One of your suggestions was, an alteration of the law, by which you wished to have the power to compel the attendance of children, and likewise to make parents pay towards their maintenance; have you ever ascertained whether, among the children who are admitted to these schools, the parents are in that situation of life that they would be able to pay towards their support?—We are sometimes obliged to refuse them, just because the parents are quite capable of paying, if willing. Our object is not to take children whose parents can support them, but those who are wholly destitute.

3121. Suppose the case where the parents are not able to pay towards the support of the children, would you propose that the parish should be compelled to pay?—We think it perfectly reasonable that the parish should then pay the expense of the child at school; but I may state that there has of late been a little jealousy betwixt the parish authorities and the Industrial Schools. I think it is very much to be regretted, and I hope that it has now passed over. Parish Boards are new institutions, comparatively, in Scotland, as you are aware; and they seem to think that the more children they have under their charge the better. We think we can take better care of them than they can do, at a much less expense to the public. I think we could meet all the expense by voluntary subscription, if there is any difficulty in the matter, as we do at present.

3122. In what way would you propose to draw the line; supposing these schools are to be established in different large places throughout both England and Scotland, how would you propose to draw the line between the admission of children whose parents are able to pay towards their support, and those who cannot?—It would be, I confess, a difficult thing to do; but we must decide it just as the Poor-law Boards do, whether a child has a proper claim upon a Poor-law Board or not.

3123. Then, do I understand you, the proposition which you would make as to the alteration of the law is, that whatever children are found begging about the streets, or having no means of employment of any sort or kind they should be liable to be impounded, brought before a magistrate, and ordered to attend the school; and that on that order being made, the parent or parish should be compelled to pay towards the support of that child?—Precisely; either the parent, the parish, or the Prison Board, ought to meet the expense.

3124. The whole expense, or only part of the expense?—That has been

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discussed, and it is not a matter of very great importance, I think. The expense is hardly worth thinking of, in comparison with the importance of the object to be attained. All children must either be criminals, or not criminals; they must all either be paupers, or not be paupers; and under one or the other denomination, the question will be provided for.

3125. As I understand the purport of your former evidence, the schools which you have been describing are entirely supported by voluntary subscriptions, and in no case is there any payment made either by the parish or by the parent towards the maintenance of the child?—Entirely by voluntary subscriptions. Cases do occasionally happen where persons taking an interest in a certain child pay for it; and there are occasional cases of children from distant localities for whom persons pay; but that does not affect the principle that these schools are all supported by voluntary contribution.

3126. Would not the proposition as to the future alteration of the law interfere at all with the voluntary subscriptions?—That is a question very difficult indeed to answer. If you leave the question free in the hands of local agency it probably would not; if you centralize and place it wholly under Government control, you take away all hope of voluntary support.

3127. The future alteration would be, that these schools should be principally under local management, supported partly by voluntary contributions, and the other part by certain payments from either parish or Prison Board?—Or Prison Board, and assistance by grant from the Privy Council. You are aware that it is very difficult to draw a line of distinction between the little criminal and the little neglected outcast or beggar, those who are just approaching to a life of crime; in fact, it is almost impossible.

3128. In cases of this kind would both board and lodging be afforded, or simply the instruction and the meals?—We are very unwilling to give board; we had a great deal of discussion on that question when the schools were first established. You alter the whole of our system if you do that; directly you do that you approach to the hospital system.

3129. Allow me to ask you what means of religious instruction have you, where the boys who are admitted belong to different religions?—That is a question which we are much accustomed to consider at this moment. We are peculiarly circumstanced in Scotland; almost the whole of Scotland receive one set of standards. The school establishments for children of almost all classes, members of the Establishment as well as the dissenters, employ the Westminster Confession of Faith and the Shorter Catechism, and the religious instruction invariably, in all schools in Scotland which are not strictly sectarian, is communicated by means of the Bible and the Shorter Catechism. The same system is pursued in our Industrial Schools; but of course there are the Episcopalians, who on principle object to the Shorter Catechism; and the Catholics, who in like manner object to the Bible; but in fact we have never found any difficulty in these matters; the Catholic parents make no objection whatever, and it is only when other parties take up the question for them that any difficulty arises.

3130. Mr. *C. Legh.*] Your subscriptions are by voluntary aid, are they not?—Yes.

3131. Are they individually small?—Generally they are individually small. The greater part of the subscriptions are raised from the middle classes in Aberdeen; a very large proportion of the subscriptions are 2 *s.* 6 *d.* and 5 *s.* a year.

3132. Do you find that those individual subscriptions are long continued, or do they soon cease?—They have been very well continued. In connexion with that, I may mention that at one time our funds were very low, and an attempt was made to raise money by subscription; and at that time the wealthy classes in Aberdeen subscribed about 100 *l.*, and the working classes subscribed nearly 200 *l.* themselves; and when the question was put to some of them, "Why do you subscribe so liberally to these schools, which are not for your children, but for a class below them?" they said, "We do it because before these schools were established we were afraid to let our children go out to play in the streets, for fear they would be learning mischief; and since the schools have been established we are not afraid to let them go out, and it is on that account we subscribe so liberally towards them."

3133. Do you not find, generally speaking, that it is more agreeable to the lower

lower orders to be allowed to pay something towards education?—Decidedly; but these children are so very low that you cannot apply the same principle to them that you do to another class.

3134. *Chairman.*] Do any of the children pay anything?—None of them; in some cases children are paid for. I myself, for example, might pay for a child if I pleased, but that is not to be considered as a child's paying.

3135. Mr. *Adderley.*] Now will you describe to us the nature of the primary schools in Scotland, in which the children of the poor are admitted?—You are aware that by the law of Scotland every parish is obliged to provide its own school; every rural district must have its school, and the schoolmaster must be paid by the proprietors of the land, and the school-house and the schoolmaster's house are erected by them. The law is not the same in the towns, but the practice is pretty nearly the same. The magistrates of each town provide what they conceive a sufficient number of schools, and in addition to this there are, both in town and country, a very great number of adventure schools, set up by parties at their own risk, and for the sake of the profit they make by it. We call them adventure schools to distinguish them from the established schools.

3136. Then are the established schools wholly supported by rate?—They are wholly supported in the country parishes by the proprietors and occupants of the land, who are bound to supply a certain amount of salary to the schoolmaster; about 30 *l.* a year is the average.

3137. Does that 30 *l.* a year cover every expense?—No.

3138. What sort of fees do they pay?—They vary from 2 *s.* 6 *d.* to 6 *s.* a quarter. These fees procure instruction in the first principles of religion, and in reading, writing, arithmetic, geography, and in some of our parish schools, not a few now, Latin also is taught, perhaps at the charge of 1 *s.* or 1 *s.* 6 *d.* a quarter more.

3139. Will you state the highest and the lowest rank of people who send children to those schools?—The highest rank do not send them.

3140. I mean the highest who do?—The farmers of the parish all send them; many go from those parish schools to the Scotch universities; but when they are intended for the Scotch universities, of course, they have higher instruction from the teacher.

3141. Are the children of both farmers and labourers there together?—Yes, all. Then, by the law of Scotland, the schoolmaster is obliged to teach pauper children in the school gratis; he cannot refuse them. If the clergyman and the proprietors in a parish find that a man is unable to pay for the education of his children, the schoolmaster must take them and teach them for nothing; that is the condition upon which he holds his office.

3142. Is that the case in Dundee also?—No, it is not the case in the towns.

3143. Is that made use of, so that pauper children do go to these schools?—Yes; it is a thing of common occurrence in the country, and in the county of Aberdeen, each schoolmaster has from a private endowment 20 *l.* a year for teaching gratis 20 poor children, if recommended to him by the minister of session. In fact, few parishes can furnish the whole number.

3144. Then why should these schools, such as those upon the Aberdeen model, be separated from the established schools?—Because there is no such power in towns as there is in the country.

3145. If the same power existed in towns as exists in the country, there would be no necessity for the separation of these two schools?—No, I suppose not; I think not.

3146. The place of feeding and industrial training might be engrafted as a special department of the established schools?—It might; but then you will perceive that in the towns there are no means of compelling the teachers to take those who cannot pay, not even in the public schools. The magistrates there, who come in the place of the landed proprietors of the country, have no power to send pauper children to the school.

3147. Will you state a little more distinctly the difference in the law with regard to that power in the country and in the towns?—In the rural parts, wherever a clergyman and the proprietors find a man unable to pay for the education of his children, the parish schoolmaster is obliged to take them without payment; but in towns there is no such power.

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3148. Is that by custom, or by actual statute law?—It is by statute law, 43 Geo. 3, c. 54, s. 18.

3149. But there is no such law compelling schoolmasters to take paupers in towns?—None.

3150. Mr. *Miles*.] Is there any law to enforce payment of a schoolmaster in a township, or parishes of a township, by the inhabitants?—I am not aware that there is any law to enforce any particular payment; the magistrates of a town are bound to provide schools to a certain extent from the common funds of the town, but I am not aware of any case where they ever have been forced to give any specified sum, or to interfere with it; but I may add, that in most of the towns we have a number of endowment schools, which, of course, interfere with and supersede the paid schools.

3151. Can you tell the Committee to what extent the magistrates are obliged to find schools, and how they are proportioned at all in the different parishes contained in a town?—No; I am not aware of any particular rule; it is left very much to their own discretion, and it depends very much upon the provision made by private endowments.

3152. Mr. *Adderley*.] Supposing the law to be the same in the towns as in the country in Scotland, would there be sufficient provision for the children whom you seek now to provide for?—If the law were perfectly carried out I think there would be sufficient provision, but it is rather a difficult question.

3153. Is it necessary for such schools as that of Aberdeen to be on the outskirts of a town in order to get land for the industrial training?—No; the newly-built girls' school has a small garden, and is on the outskirts of the town; the others are in the very centre of the town; and they ought always to be where the densest population is, because the children cannot go to any distance to attend school; if you remove the schools from the centre of the population, they will be almost wholly useless.

3154. That is in order that the children may go home at night?—Yes, and in order that they may be able to attend school; a child of three or four years of age cannot go a great distance to school.

3155. Have you no provision at Aberdeen for children who have no home?—We have hitherto managed that, either by boarding them with private families or sending them to the House of Refuge, another charitable institution, and which has worked along with our schools and in connexion with them.

3156. In the Industrial Schools no children are lodged, then?—None whatever; some of the children attending the school are lodged, but that is not a part of the system.

3157. Will you just describe the kind of building which you have for these schools?—The first school was established in an old building, not in very good repair; now we have got schools, and there are two of them in very excellent repair; one has been erected for the purpose, which will cost about 420*l*.; another, a large house recently purchased, about six months ago, for 400*l*.; a third is a portion of the House of Refuge; the fourth is another large house, purchased by the Ladies' Committee for about 750*l*.; but the amount of accommodation in these large houses is greater, perhaps, than they require; far greater than we would ever think of building. The one that has been built consists merely of five apartments, all very simple and very plain.

3158. What is the external appearance of the buildings; are they buildings in the middle of a street?—Yes; two of them are in courts, one of them is a plain building in the street, and the fourth is a building in the outskirts of the town. If I had expected that these questions would have been put to me, I should have brought the plans from Aberdeen with me.

3159. I want to know whether there was any peculiar design in the buildings, or whether they were ordinary houses, so that no one would remark anything particular about them?—Three of them the ordinary houses of the place; one of them was one of the principal mansions of the city about 120 years ago; it is a very large building, and it is very suitable for the purpose.

3160. Have you any scale in your hand as to the price for each child?—The girls' school at present has 70 children; it will hold nearly 100.

3161. Four pounds per head?—Four pounds per head.

3162. You have stated that in these schools there are distressed children, and some who have been guilty of petty offences?—Yes.

3163. Has it ever occurred that the parents of merely destitute children have expressed

expressed any objection to their children being mixed up with those who have been guilty of petty offences?—It has never occurred, and that is a point to which I have given very particular attention. It has never occurred in any instance.

3164. Neither on the part of the parents nor children?—Neither on the part of the parents nor children.

3165. Have you ever found that children so having been found guilty are looked down upon by the other children, or form a separate class amongst them?—They do not appear to do so; they do not appear to reproach each other or despise each other on account of that; but you will observe, that although some have been convicted of petty offences and others have not, still there is very little difference betwixt them; they are of the very same class, but they have had the good fortune hitherto not to have been convicted.

3166. They have both been brought up before magistrates; both those who have been neglected, and those who have been found guilty of petty offences?—They have been brought up before the committee of the Child's Asylum; they do not exercise any magisterial power.

3167. You stated that the object of the Child's Asylum was to prevent the imposition which the Juvenile School was exposed to, by parents sending children that ought to have been paid for?—Yes; to make ourselves thoroughly masters of the whole of the cases that were sent.

3168. Is not the Child's Asylum open to the same kind of imposition as the Juvenile School was?—Of course to a certain extent it is; it is a place where the matter is inquired into; it is a different thing having a child brought there and the case investigated, and having a child brought to the door of the school and left there, the same as it might be at any other school.

3169. Do you suppose that many such cases of imposition have occurred?—No, I do not think many of these cases have occurred; a few have.

3170. Is that owing to the acquaintance of the committee with the habits and the state of the population of Aberdeen?—Yes, that forms the principal means and amount of prevention; persons of every class giving assistance and facility to carry on the work.

3171. Will you describe a little more accurately the composition of the committee of management?—They are selected from the more active and intelligent of the subscribers; they are men of all parties and all denominations.

3172. Elected by the whole body?—Elected by the whole body of subscribers.

3173. Elected every year; once a year?—Once a year.

3174. Of what class of the population do the subscribers generally consist?—The larger amount is from the higher class of course, but the greater number of subscribers is from the middle class.

3175. From the shopkeepers?—From the shopkeepers, and tradesmen, and artisans.

3176. What sums of money are subscribed yearly?—Sums of 2 *s.* 6 *d.* and 5 *s.*

3177. You stated those voluntary contributions have fallen off?—No; I think upon the whole they have kept up pretty steadily; I think I answered that question, and stated that they had not fallen off.

3178. I thought you complained of want of funds?—We have never had funds enough; we made temporary exertions and got donations collected from time to time, but I think the annual subscriptions have stood pretty nearly upon the same footing for several years past.

3179. With regard to the year 1843, when you referred to the falling off of the funds, and your being obliged to contract the number in the school, and crime increasing, was there no other cause for the increase of crime that year?—I am not aware of any.

3180. You state that the education of these different schools is much of the same description?—Yes.

3181. Is it better or lower than the education which is going on at the established schools?—I think in some respects it is lower; there is less apparatus about it; there is less demand for books and pictures, and all that you see in the better class of schools; but at the same time I think the education is better than in a very great number of the established schools; when I say better, I mean that the minds of the children are more developed, and worked and made

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more energetic, than generally they are in the established schools, and particularly than they generally are in the pauper schools.

3182. To what do you attribute that?—I think there is greater energy and willingness on the part of the teachers to work in the matter, and the constant superintendence and visiting by the members of the committee, and parties who take an interest in it; all these people going and seeing what is going on; and also that many of those children are extremely sharp and clever.

3183. Many children who have been neglected?—Yes.

3184. They are frequently sharper than those who have been taken care of?—Yes, they have been left to provide for themselves very often, and have been led in a very bad direction, but with much development of their energies.

3185. In your opinion, is it not injurious that such schools should be more attractive than the established schools?—I have been led into that argument repeatedly, and my answer has been always, "Improve your established schools, and make them better."

3186. Has the superiority of Industrial Schools been found to lead parents improperly to attempt to get their children into them who ought not to be there?—There have been a few such cases, but they are very rare; there have been such cases certainly.

3187. I think you stated that you had seen Red Hill?—Yes.

3188. I should be very glad to know what your impression was of that establishment?—I have only been there once, and the impression that it made upon my mind was decidedly very favourable; but I would not wish to express a very strong opinion from a single visit.

3189. But still your first impression must be very valuable?—It is decidedly favourable; and it is a sort of thing that I should very much like to see established in Scotland, in order that we might have an opportunity of trying the system there.

3190. Then, upon the whole, from your first impression, that would be the sort of reformatory school which you would wish to see introduced into Scotland?—Certainly.

3191. Have you also seen Parkhurst?—I have.

3192. Is the treatment of a school, or the treatment of a prison, in your mind, most suitable to young criminals?—The treatment of a school, most decidedly.

3193. In talking of children, in relation to such establishments, between what ages do you generally describe those children?—Between 14 and under; we are afraid of them above 14; we think that the habits that they have are so much formed above that age that it would be very difficult indeed to deal with them. In our prison returns the juveniles are 12 and under.

3194. Now, would you make an exception to those who have been found guilty of the worst of crimes?—I would not if they were under 14; if they were above 14, I decidedly would.

3195. Supposing cases of aggravated and malicious offences, would you consider those would be exceptional cases?—That depends entirely upon the case; it is not possible to lay down a general rule.

3196. But from what you saw of Parkhurst do you think children of that age, and that degree of criminality, might be dealt with in schools?—I should think they might, but certainly only in small numbers. I think it is quite fatal to the good effect of an Industrial School; if you get above 60 or 70, or at the utmost 100, in any one school, they become too powerful for the teachers; when there are 200 or 300 together, I think it is impossible for the teachers then to give the necessary minute superintendence.

3197. But in treating limited numbers you think that the coercion and penal nature of the prison is not necessary for juveniles?—Not for the small number, but for the large number it would be.

3198. Mr. *Miles*.] You spoke of the desirability of confining reformatory schools to small numbers; do you speak so from any experience you have had in your schools in Aberdeen?—I speak from a comparison of our schools at Aberdeen with those at Edinburgh, where they are much larger; but we think they have not been nearly so effective.

3199. Have you been obliged, from this circumstance, to reduce the number in your schools at Aberdeen?—No; because we have increased the number of schools so as to meet that difficulty. The Juvenile School is becoming now rather too large, and ought to be divided. It is now above 100.

3200. Do you employ more than one teacher in each individual school?—There is a teacher and an assistant in each school.

3201. Have you any monitors?—Some of the older children are employed occasionally as monitors, but the monitorial system is not used much with us. In fact, by the time the children are becoming fit to be monitors, we are looking out for a permanent situation for them, and sending them away.

3202. May I ask whether you have looked into any of the Aberdeen statistics relative to the population between 5 and 14?—No, I have not.

3203. Then you are not enabled to tell us what the proportion of the children, trained up in these Industrial Schools, between these ages, is?—No, I am not.

3204. May I ask you for what period you retain the children in the Child's Asylum?—Very seldom above one night. The committee generally meet whenever it is wanted; they are easily called together. When the school was first established they met daily. Of course daily cases do not now occur, and if a child is picked up early in the day, the committee meets.

3205. Then they are drafted, according to circumstances, into one or other of the schools?—Yes.

3206. May I ask you if I understood rightly, that out of all the number of children that you have had in your different schools, the committees have placed only 70 out at service?—No; that was only one particular school: that was out of the Juvenile School. I forget the exact number; but I think there has been somewhere about 350 sent to different employments.

3207. Could you, by reference to any document, tell us the number of children who, from the first establishment of these schools, have passed through the schools?—I have attempted to follow that out, but I have not been able to do so, because in one or two schools they have no sufficient books to show that. I was very anxious indeed to get at that fact. Indeed, when the schools were first established, we were not at all aware of the importance that they would ultimately assume, and we were several years before the proper tables and references were devised and kept; and that particular question that you have put I fear can never be answered satisfactorily.

3208. Then you do not know at all what the proportion of those children you have so put out to service bears to the whole number?—Of course not.

3209. You say that the number of criminals, as I understand you, from 1840, when your school was first established, to 1851, had sunk from 63 to five; had you, at the same time, paid attention to whether the younger persons who came into the gaol of Aberdeen had passed through those schools?—I mean from above the age of 14 up to 20, there are occasionally cases which I mentioned. I stated that one of the largest schools has not furnished a single prisoner. Those boys who were about 13 or 14 when the schools were first established, and are now about 20, had occasionally been in prison, of course. I believe I could get some such return as you want, if it were thought desirable. I think it is possible to procure that return. On inquiry I find that no means now exist of making up the return alluded to.

3210. I think it would be very desirable that you should. Now you have stated some difficulties to have existed between your Industrial Training School, as I understood you, and the Poor-law Schools?—Yes.

3211. Would there not, of course, be some difficulty in dealing with orphan and destitute children, as between your Industrial Schools and the Poor-law Schools?—Of course there must; but what appears, to myself at least, very unnecessary on the part of the poor-law authorities is this: if we are taking the charge of children, and taking good care of them without costing the public anything, it is very unnecessary for them to interfere with us.

3212. But although, as I understand, you give a better industrial training to these children, still, in the poorhouse they have lodging provided for them, and clothing?—They have, decidedly.

3213. Which you do not give at the same time?—No.

3214. So that if the education was as good, the children would, as far as creature-comforts go, be really better off?—But then the question comes to be, is it any real advantage to them, or is it not better that they should have a hard fight and struggle, to prepare them for what they must have to undergo in future life, than to be shut up in a poorhouse?

3215. Then considering the two systems of education, and seeing how well

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your Industrial Training Schools have gone on, you have been able to form the opinion, that children trained in your schools are much more able to fight against the vicissitudes of life hereafter than those children who are clothed, fed, and better provided for in the poorhouse?—Decidedly.

3216. Mr. *M. Milnes.*] Do you find that any considerable disadvantage takes place in consequence of these children being obliged to spend the night elsewhere than in the school?—We do not find any disadvantage; when the school was first established the question was very anxiously discussed, and I believe if we had had funds we would have lodged the children at once, almost as a matter of course, but being unable to lodge them we allowed them to return home at night; but this has had a good effect upon the families.

3217. What do you refer to?—I refer to the keeping up of the family ties, and to the food which we know was frequently conveyed by the children to their parents, and to their older brothers and sisters; if you show kindness to a child it is the sure way to have a beneficial influence; it is the sure way to acquire beneficial influence over the mother.

3218. Have you found a practical instance of the beneficial influence exercised by these children over their families?—We have, upon more than one occasion.

3219. In what way?—In conveying religious instruction to them, in conveying habits of cleanliness and good order; frequent instances have occurred of the children inducing their parents to go to church who never had done so before, or had not done so for many years; in short, the children from the Industrial Schools have exercised a humanizing influence upon the parents.

3220. Would you therefore say, that if at the present time, from the increase in your funds, or any other assistance, you had means of lodging these children, you would prefer not to do it?—Oh, certainly; and I believe that that is the unanimous opinion of all the gentlemen connected with the management of them, or nearly so; I perhaps ought not to say unanimous opinion, but nearly so.

3221. Is it not the case that some of the homes of these children are so squalid, and afford such few means of decent retirement, that the moral habits of the children suffer considerably?—We perhaps have not any dwellings so very bad in Aberdeen as you have in London, or as exist in some of our other large towns. At the same time there is a great deal of truth in what you say but, practically, our experience does not bear out the opinion; we find that the advantages overbalance the disadvantages, but there are advantages, unquestionably; but we look to the improvement of the house at home through the means of the children, and that, however bad and squalid it may be at first, it will, in the course of time, and of no very long time, be corrected.

3222. Do you find that in attempting to discover occupation and employment for these children when they leave school, you have any more difficulty in obtaining it for the children who have been convicted of offences against the law than for those who have been considered merely as paupers?—Decidedly; there is a strong feeling against receiving into a family or an establishment a person who, perhaps, has been repeatedly convicted; and that is one of the reasons why I think it is so desirable that they should not rashly be convicted and sent to prison. If they are known to have been convicted, and especially if they are known to have been two or three times in prison, it is then very difficult to get them into a situation.

3223. Even after they have gone through the purifying effect of your school?—If they have been some years in the school it becomes easier, but if they have only been a short time in the school it is very difficult.

3224. Is there, as far as you have seen, any strong feeling in Scotland as to the necessity of some change in the treatment of criminal children?—I believe that the feeling is very much confined to those who have been attending to the subject. It is one of those subjects which has a certain number of people who take a deep interest in it, but perhaps the public at large are rather indifferent to it; but I believe, amongst those who have attended to the subject, the opinion is very general that a change ought to be made in the law.

3225. Mr. *C. Legh.*] In regard to the results of the system that you adopt, in the case of some one or two of a family being inmates of your school, have you found that the example has operated upon their brothers and sisters, if any, so as to induce them to wish to have the same advantage?—Frequently.

3226. So that in fact the good that is done to the inmates themselves also passes through the family?—Passes on to the family.

3227. Mr. *Miles*.] You have been kind enough to place in the hands of the Committee the Aberdeenshire Reports on Juvenile Delinquency, for 1845, 1848, and 1851; I would call your attention to the Appendix there, in which there are two letters addressed to yourself by the gaoler, one dated the 7th November 1848, and the other the 28th October 1848?—The one is from the governor, the other is from the chaplain.

3228. But they relate to the same prison, do they not?—They relate to the same prison.

3229. I wish to call your attention to what is stated there, in the letter of the 7th November 1848, referring, as I understand, to the juvenile prisoners who were in that prison in July and August; it gives the number as 16?—Yes.

3230. I would also refer you to the other letter, dated the 28th October 1848, in which the writer states, "In consequence of a conversation with Sheriff Watson respecting juvenile offenders, and in compliance with the request contained in your note of the 23d instant, I have to call your attention to the cases of the following children who have been confined here, in the course of the last two months, for the crime of theft." That is in 1848, and by that it appears that there were 15 children during those two months who were undergoing confinement for theft. I wish to know how you reconcile the statement relative to the great decrease of juvenile delinquency between 1840 and 1851 with that statement?—Of the 15 juveniles so reported, you will observe by the return, nine were aged 13 years and upwards, and of course are not included among the 19 aged 12 years and under, stated in the Governor's Report for 1848 as having been committed during that year. Of the 16 in prison on the 1st July 1840, it is to be observed, that 11 of them did not exceed 12 years of age; while of the 15 confined in 1848, only six were of that age.

3231. You will find that in the summer months of July and August there were only 16, so that there was only a falling off, apparently, by these returns, of one?—I have no doubt that these returns are correctly given, but I will refer to them on my return home.

3232. You have stated that you made an application to the Committee of Privy Council on Education for assistance in these Industrial Schools; will you state the nature of the application which you then made?—The applications did not pass through me; I am aware that applications were made, but I cannot answer that question; the applications were made by Sheriff Watson, who is the founder of the school.

3233. Do you recollect sufficiently to be enabled to say whether the application was made in aid of building, or in aid of education?—The first application was for both, the second was for building only, and it was granted to three schools.

3234. Supposing the Committee were to recommend the adoption of these Industrial Schools throughout the country, would you, from the experience you have had, seeing that, if generally adopted, they must lead to considerable expense, recommend that some half be given by the Committee of Privy Council, that the rest be levied by voluntary subscription, and that the management be left with the visitors and contributors, as it now is, subject only to an annual inspection?—Certainly.

3235. You would recommend that as the best system you could adopt?—Decidedly.

3236. *Chairman*.] You have spoken upon this subject in page 173; are you still of the opinion expressed there, that beyond the aid of Privy Council grants and the appointment of inspectors, Government ought to do nothing; that all the rest of the work ought to be left to local energy?—Yes.

3237. You retain that opinion?—I retain that opinion.

3238. You think Government inspection necessary?—Yes, I think Government inspection very desirable indeed.

3239. Mr. *Adderley*.] I understand that it is the present practice in Aberdeen that the police bring up a child upon no charge except upon their knowledge that he is leading a vagabond, idle life?—Yes, and is seen doing so in the streets.

3240. Now supposing a child so brought up is known by the magistrates to have a parent who could pay for his education, by what process is that parent compelled to pay for his child?—By no process of law, but the parent is generally sent for and questioned as to why he did not or she did not educate and

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take care of the child, and the result frequently has been that the parent was awakened to a sense of duty, and afterwards took care of the child.

3241. Have you known any instances where the parent was refractory, and would not take the advice so given him?—Yes, I have.

3242. What has been done in those cases?—The child has been sent to the Industrial School.

3243. Although the parent could pay?—Yes.

3244. Without any charge?—Yes; we had no power to make a charge; our object was to get the children educated.

3245. But still that was a premium for the parents refusing?—Yes; I remember one or two cases where private individuals offered to be at the expense, rather than allow the child to return to a life of crime.

3246. You have found on the whole that that has not been much abused?—Very little indeed.

3247. Now you said, that although you found no compulsory power necessary at first, you have gradually found more and more necessity?—Yes, because we now find the existence of a class that we were not aware existed, the children of parents who were able to educate them, but unwilling to do it.

3248. Are you sure that your schools do not lead to the increase of that crime?—It may be so; I cannot say; that is, of course, one of the difficulties in any mode of providing charitable instruction.

3249. Is it your opinion that your schools have led to an increase of that class of negligent parents?—I think not; but of course that is a matter of opinion, not of certainty.

3250. By the alteration of the law, such as you wish, this danger would be obviated; is that your opinion?—To a great extent, for in the case of a drunken father, we hope that the law will be altered; we hope to be able to lay hold of the parent and his wages, and to prevent his spending them upon drink, and oblige him to spend them for his children.

3251. Would you state rather more distinctly the limit of the power you propose?—In Scotland we have a very summary process of law, by which the money of a married man can be arrested for the support of his wife and children; we cannot take it for the education of the children, but we should like to have the power to do so.

3252. You would extend the same power for the purpose of education that now exists for the purpose of maintenance?—Exactly.

3253. Now, what was the general kind and mode of punishment which used to be inflicted upon juvenile criminals at Aberdeen before you established these schools?—That depended very much upon the feeling of the magistrate before whom the case was tried. Sometimes it was six days' imprisonment, sometimes ten, sometimes twenty, sometimes thirty, according to the idea of the magistrate who happened to try the case.

3254. What is the largest amount of imprisonment that you ever recollect to have been inflicted upon a child at Aberdeen?—I think I have known 60 days, but that is very unusual.

3255. What was the nature of that imprisonment; was it a severe kind of imprisonment, with any other penal infliction besides the actual restraint?—No; in all our prisons in Aberdeen it is solitary confinement.

3256. Even for children?—Even for children.

3257. Mr. *Miles*.] I suppose you mean separate, when you say solitary?—I forgot the distinction you made in England; I mean no intercourse whatever with others, but they are supplied with work such as they are able to do, if they are able to do anything; and they are carefully instructed by the chaplain and teachers, and have books furnished if they can use them.

3258. Mr. *Adderley*.] They are educated all together, are they not?—No; they are never allowed to meet on any occasion whatever.

3259. Does that system still go on, or have your schools taken that class of children out of prison?—The system still goes on exactly the same under the orders of the General Directors of Prisons in Scotland. We are not allowed to permit the children to meet, even for instruction. All prisoners are kept separate from each other; but, as I have already stated, we have very few children of 12 and under in the prison; often not one.

3260. Is there any difference in the Scotch and English law, besides those differences which you have already pointed out as to the power of a magistrate over a child?—I am not much conversant with the English law.

3261. *Chairman*.]

3261. *Chairman.*] I understand that the power which the magistrates of Aberdeen have exercised, they have exercised, professedly at all events, under the provisions of your Local Act?—Yes.

3262. And that is an Act for a great number of purposes?—Yes; and it contains a few clauses relating to begging and vagrancy.

3263. You have a copy of that Act probably with you?—No, I have not. Vagrancy in Scotland is not a crime. The vagrant law of England does not apply to Scotland.

3264. Probably you could favour the Committee with a copy of that portion of the Act?—Yes, I will. I forget the date of it.

3265. I observe in the Appendix to this paper which you were so good as to present to each member of the Committee, that there is a draft of a Bill which has been suggested for carrying into effect certain alterations of the law which you think advisable?—Yes.

3266. What is the history of that draft Bill; was it drawn by some Scottish lawyers?—It first originated in Aberdeen, I believe. In fact, that Bill has been drawn by so many people, that it would be very difficult to say who was the author of it, but several Edinburgh advocates have been engaged in the final revising of it as it now stands.

3267. It has been drawn under legal aid?—Yes; they were all law people who were concerned in drawing it.

3268. The draft of the Bill is in the Appendix to the work entitled "Social Evils"?—Yes, it is.

Mr. *William Locke*, called in; and Examined.

3269. *Chairman.*] I BELIEVE you are Honorary Secretary of the London Ragged School Union?—Yes, I am.

3270. How long have you held that office?—From the first; from its establishment in 1844.

3271. Is that the date of the first establishment of Ragged Schools in London?—No; Ragged Schools (though not so called) existed long before that.

3272. When did they originate?—They originated a very long time ago; some think that the Ragged Schools were first begun when Mr. Raikes got ragged children out of the street into his Sunday Schools; or when honest John Pound gathered a class of ragged children round him in his little shop at Portsmouth.

3273. However, the Ragged School Union was originally established in 1844?—Yes, in 1844; and I may just state, that at that time some friends and I, engaged in Sabbath School teaching, found so many children excluded from the Sunday School in consequence of their filthy, dirty, and ragged condition, that we were very anxious indeed to have another class of schools for such children. We found about 16 of such schools in London at that time, and we thought it an excellent plan to have a Union, so that we might arrange plans, and assist each other in carrying out so desirable an object as that of gathering in the outcast and destitute who were idling or doing mischief in the streets.

3274. Then that was the foundation of the Ragged School Union?—Yes.

3275. What kind of progress have you made since that time?—Since that time the schools in London have increased from 16 to 110; the voluntary teachers have increased from 200 to 1,600; there were no paid teachers at first, and we have now 200; the children at first were only about 2,000 in number; we have now in our day and evening schools about 13,000, which does not include the Sabbath School children, who amount to about half that number.

3276. At what ages do you take the children?—We take them, I may say, at any age, but usually from 4 to 16, and even above that; we have adult classes for some as old as 20, and even 30.

3277. Have you a great many young ones?—About one half of the children are under 10 years.

3278. Now in what condition are those children when they are taken into the Ragged Schools first?—Most of them are in a very ignorant, destitute, neglected condition; I could describe their condition from our reports as worthy of our tenderest sympathy.

3279. Do you mean individual cases?—Yes.

3280. You need not trouble yourself with that; but be good enough to give the

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the Committee a general account?—Many of them are quite homeless; many of them are entirely neglected by their parents; many are orphans, outcasts, street beggars, crossing sweepers, and little hawkers of things about the streets; they are generally very ignorant, although in some points very quick and cunning. I could refer to a list which I hold in my hand which we have made up, which will give the information which you ask for. By it you will find we have "Children of convicts who have been transported; children of convicts in our prisons at home; children of thieves not in custody; children of the lowest mendicants and tramps; children of worthless drunken parents, a large class; children of stepfathers or stepmothers, often driven by neglect or cruelty to shift for themselves; children of those who, although suitable objects for a workhouse, prefer leading a vagrant life, pilfering when they can; sometimes in employment, but oftener engaged in practices of a doubtful or criminal nature; children of parents who, though honest, are too poor to pay even one penny a week for a school, and who cannot clothe their children so as to gain admission to better schools; children who have lost parents, or are deserted by them, or have run away from home, and live by begging and stealing; youths who, disliking the workhouse, have left it, and lead a vagrant life; youths who are at work during the day as ostler boys, labourers' assistants, and in other ways, or who go about selling articles in the streets, such as fish, fruit, and vegetables, and who cannot therefore attend a day school, even if free admission be offered; girls who are driven into the street by cruel and worthless parents, and live by begging and selling water-cresses, oranges, or lucifer matches; children of Roman-catholics, who come in large numbers to the Ragged Schools, and do not object to reading the Bible."

3281. What is the condition of admission into your schools?—Destitution.

3282. How are children admitted?—The children are admitted in many cases by personal application; they are admitted in many other cases by the teachers going round and seeking for them, and by the assistance of the City missionaries (agents of the London City Mission) who have been exceedingly useful to us from the very first, not only in finding scholars, but in helping to establish schools, and in getting the good-will of parents towards us and our operations.

3283. Be good enough to describe shortly the duties and character of the institution to which you have just referred; that term has occurred in the course of the evidence several times?—It is a society consisting of 275 missionaries, who visit from house to house daily for six hours a day; their business is to read the Scriptures to the poor, to engage in prayer with them, and to have stated meetings on certain days in the week for the purpose of expounding the Scriptures to all whom they can get to assemble; to visit the poor, especially in sickness; and it has occurred that thousands who have died in London in the low neighbourhoods have had no one to visit them or attend them on their death-beds except the City missionary.

3284. Are they members of the Church of England exclusively?—No, not exclusively; they consist of members of both Church of England and dissenting congregations; the committee likewise, I may as well observe, is, like our own committee, on quite an unsectarian basis; Dissenters and Churchmen working together harmoniously in carrying the gospel into the lowest parts of London.

3285. The City missionaries, I suppose, are the agents of some society; what is that called?—The City missionaries, as I have already mentioned, are agents of a society called the London City Mission.

3286. Can you inform the Committee how long that society has existed?—About 17 years, during which time it has done more for the poor of London than any other society I know.

3287. Now will you be good enough to describe to the Committee the daily routine of one of your schools?—The daily routine varies according to the kind of school; some of our schools, which are day schools, are very similar to British or National Schools, assembling at nine to 12, and then at two to four, dismissing the children then for the evening.

3288. You have both day schools and evening schools?—Yes, and also Sunday schools; in the same building where the day school is held we have generally an evening class for boys, and also girls, who cannot attend during the day, having to work or beg in order to get food to eat.

3289. What is the kind of instruction that is given in the schools?—In the day schools we have reading the Scriptures, singing, reading, writing, and arithmetic, and in some schools industrial classes; in the evening schools we have similar instruction; in many of the schools we now have industrial classes, both

both day and evening, for teaching the boys tailoring, shoe-making, and other handicrafts, and for teaching girls to sew, knit, &c. &c.

3290. Is the produce sold?—No, not generally; in most cases the things are distributed amongst the poorer class of children themselves, or sold to them at a very low price.

3291. How many trades are taught; you mentioned two, tailoring and shoe-making?—Carpentering, mat-making, brush-making, pocket-book making, &c.; in the country schools I might mention others. In Liverpool and Manchester they make bags for grocers, and they print reports for societies, and bills for tradesmen; they have got a printing press in the Manchester school, and in the Liverpool school. In the latter they make clogs, and also shoes, and have also some garden-ground to work in.

3292. How many hours are they engaged in your day schools?—Generally about six.

3293. What time do they come?—About nine in the day schools.

3294. How long do they stay then?—Till 12; then from two to four or five; indeed, as I have before observed, the routine is very much the same as in the British and National Schools, as far as the day schools are concerned, only the children, from their peculiar character and habits, need peculiar treatment, and much zeal and labour to win them from their evil ways and numerous temptations.

3295. Now, with respect to the evening schools?—Some assemble at six, some at seven, and generally continue from two to three hours, spending a good portion of time in religious instruction.

3296. Is it part of your system to give food in any of your schools?—In many cases it is, because the children are so destitute that they cannot be taught until they are fed; in one school they feed about 200 twice or thrice a week, in order to keep them from starving. We have several schools in London where we not only feed them, but lodge them; but the latter in limited numbers.

3297. How do you select those children?—The most destitute, those who are thoroughly destitute and homeless; those who seem to have no other means of support are fed, and those who are homeless are lodged, that is, where there is a dormitory; but there are hundreds of children that we cannot afford to give food to, or to lodge, from the limited amount of funds at our command.

3298. Are they selected from the masses by the directors, by your committee?—By the committee or the master of the local school.

3299. And they have meals provided regularly for them, have they?—Yes, they have, in the institutions which we call refuges; but in these we have room for very few, compared to the number that need food.

3300. And lodging?—And lodging; but all who are fed are not lodged; we have one school, the Grotto-passage Refuge, in Marylebone, where they only lodge 20 boys, but they feed all that come to the school, making them work in industrial classes; they keep them the whole day and dismiss them in the evening; that is the system of the Aberdeen schools.

3301. What kind of food is it?—Generally soup, occasionally meat, and good wholesome bread; sometimes coffee or cocoa, and bread and cheese.

3302. Do any of the children who come to these schools pay anything?—Nothing; all the Ragged Schools are quite free, being intended only for the destitute.

3303. Have you other schools conducted in England in connexion with your schools?—We have many Ragged Schools throughout England; many of them originated through our efforts, but not directly in connexion with our Union.

3304. How many are comprised in your union?—One hundred and ten at present, but it is a voluntary union; we have no authority over those schools, and do not interfere in their internal arrangements, further than this, that on their applying to us for grants, we visit and examine them, to see if a grant is needed; and we also inspect them from time to time, to see that the money is properly applied, and the Bible used in all the schools.

3305. Then from your central fund, if I may so express it, you make grants to these schools?—Yes; so far as we see they need it, and so far as we can afford to make grants; but many schools ask for more than we can give, and are in debt.

3306. Are there many Ragged Schools in London not connected with your union?—I do not know of any.

3307. Have you made it your business to inquire into the subject of Ragged Schools at various places besides London?—I have visited them at various places in England and Scotland, also at Dublin and Belfast.

3308. Which

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3308. Which have you visited?—I have visited the Manchester school, which is quite upon the Scotch system.

3309. Do you mean the Aberdeen system?—Yes; all the Ragged Schools in Scotland are upon the same system as the Aberdeen ones. At Manchester they take them all day long; they teach them trades for several hours in the day, and dismiss them to their homes at night, giving three meals every day.

3310. Do you find any other English town in which the Scotch system is adopted?—In Liverpool and York they have one school where they have adopted the same system, but not with respect to all the children that they teach; they feed all and teach them industrially, but they only lodge a certain portion of them, viz. the really necessitous and homeless.

3311. Is there any school at all in London upon the Scotch principle?—We have a school in Westminster, called "The Refuge," in Old Pye-street, where we feed them and keep them all day long, but we lodge them likewise during the night, which at Aberdeen they consider a bad plan, as Mr. Thomson has said.

3312. That is one step beyond the Scotch system?—Yes.

3313. You find lodging?—We do; it has, however, only latterly been done, as the largest proportion of children attending that school formerly were allowed to go to their own homes; but the numbers, from various causes, falling off, we are trying the plan of lodging as well as feeding all the boys who attend.

3314. And what has been the success with which that change has been attended; you say that formerly they went to their own homes, and that now you find them lodging?—We found from their going to their own homes that nearly all the good that we had done them during the day was undone at night, because children in that neighbourhood belong to a very low class, and are exposed to very bad influences. The children in Westminster are, many of them, children of coiners, thieves, pickpockets, vagrants, and others, many of whom sleep in low crowded lodging-houses.

3315. It is the very worst kind of neighbourhood?—Yes; and therefore we are trying the plan of lodging all the boys, although at present we are not able to lodge the girls, having no room for another dormitory, and no money to build one.

3316. Do you think that the plan has been successful, as far as it has gone?—I think so; but it increases our expenses, and needs careful supervision.

3317. How long has that plan been in operation?—About two years.

3318. Has it been so successful there that you are disposed to extend it to any of your other schools?—Where the neighbourhoods are of that same character, I would decidedly advocate that, if possible, those children who have parents of the character I have described should be kept upon the premises entirely, but in all cases working at some trade, as they do in that Refuge for several hours a day.

3319. Do you think it of importance to keep the children all day, or nearly all day?—I do, in large towns especially.

3320. What is the proportion of those who attend in evening schools merely, as compared with the others?—The proportion attending evening schools is about one-half of the 13,000; about 6,000.

3321. Do you think, considering the short time you have had those children under your view, that you have been enabled to do much good by that class of school?—We have, in many instances, done a great deal of good; the results are very gratifying; but we attribute most of it to the moral and religious instruction, and industrial training.

3322. That brings me to the subject of the results; can you state to the Committee any information with regard to the results of the Ragged Schools?—We have had many children, who were formerly very bad characters, reformed; we have many placed out in situations, and doing well, who were formerly quite a pest to the community.

3323. Have you taken any pains upon that subject; do you consider it at all a part of your office to assist in obtaining places for these children?—We do; the schools in London are all managed by local committees, who take a great interest in the children, and who are very anxious indeed to place the children out in situations whenever they can manage to do so; besides, we have emigrated in all about 360, and by the letters which have been received from them from abroad they are all doing well; those children, whilst they were here, were earning nothing; many were vagrants or pickpockets, doing a deal of mischief, and cost the community a great deal of money by robbing tradesmen, and so on;

on; they are now earning an honest livelihood in the colonies, and, on an average, they receive from 10 *s.* to 20 *s.* a week, as well as their food.

3324. How long do you keep them in these schools before they emigrate?—At least 12 months in an ordinary school, or six months in the Refuge; they must likewise be well-behaved, and be able to read and write, and work at some trade.

3325. Do you supply the fund, or part of the fund, for emigration?—We have supplied the fund for the passage, except with regard to the 150 who were sent out by Government some years ago through the motion in Parliament of Lord Ashley, and we have thrown upon the school the finding the outfit for them; the passage has usually cost about 10*l.* each, and the outfit 5*l.*

3326. What do you mean by throwing it upon the school?—We have latterly compelled them to find the outfit.

3327. Each school?—Yes, each school, in order to take some of the burden off our shoulders; our emigration fund is small, and we cannot afford to send a great number; only a few occasionally, in parties of 10 to 15.

3328. But you undertake to superintend the emigration?—We do.

3329. Have you afterwards any systematic communication from the colony as to what becomes of these children, or is your hearing of them casual?—It is quite casual; we have friends who take an interest in them, who write to them and hear from them, but it is mostly through their parents and friends that we have letters; we have a great many of these letters, all of them very gratifying and very encouraging to us at home to continue our exertions; they write to us that they are well employed and can get good wages, plenty of food, and all that they needed here they can have there, by being industrious and honest.

3330. Do you find that the parents in many cases appreciate properly the services rendered to their children?—They do, especially those who have emigrated; and some of these boys are writing for their parents to come out to them, and in some cases they have sent home money to assist their parents to go out and join them. In one case a lad has sent 10*l.*, and several have sent money to repay their outfit.

3331. Can you state any other result?—Another result has been, placing out the children in situations where they can get a living, sometimes apprenticing them; and we have tried a few other efforts, such as shoe-black efforts, that is, employing a certain number in cleaning shoes in the streets.

3332. That has been lately?—Within the last two years, and the result has been very gratifying.

3333. How many have been so employed?—About three dozen have been so employed on an average.

3334. I believe Mr. M'Gregor, the gentleman who sits there, has taken a very benevolent interest in that matter?—He has taken a very active part in it; not only do they provide for themselves by their own earnings, but they left upon the year in the savings bank to their own credit a sum of 150 *l.*

3335. The shoe-blacks?—The shoe-blacks; to the credit of the boys who had earned it; the most deserving and industrious boys.

3336. And are all these boys from your Ragged Schools?—They are all from the Ragged Schools.

3337. How are the shoe-blacks selected; you say they come from your schools?—They are selected by local committees, who recommend them to the Shoe-black Society as being fit boys for the work, by good conduct and regular attendance.

3338. Who are the Shoe-black Society?—Some of our own committee, and other gentlemen who joined them, to act for the benefit of those lads, by way of giving them employment.

3339. Then you apply, do you, for boys, and the committees draft them off?—The local committees recommend them, and the Shoe-black Committee approve, if suitable.

3340. You have a class called "broomers," I believe?—Yes, they were a set of boys employed likewise by the Shoe-black Society, to sweep the pavements in some of the principal streets in London during the last winter.

3341. Were they supplied by the Ragged Schools?—They were.

3342. How did that experiment answer?—As far as it went it was encouraging, during the winter months; they were dropped when the fine weather came; the shopkeepers did not all pay what they promised to pay, which was 6 *d.*

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6*d.* a week for each shop; but sufficient was received to maintain the children and pay expenses.

3343. Have you observed what has been the effect, if any, in the neighbourhoods where these children live, of their frequenting your school?—I have been told frequently by the police, who ought to know well, that the neighbourhoods are much improved by the Ragged Schools, and the City missionary, as well as the Scripture reader, has often got admission to families in courts and dwellings where otherwise he would not have been admitted, by means of the children; Captain Hay, the commissioner of police, has told me so frequently, and so has Sir Richard Mayne.

3344. How are they founded; raised by voluntary contribution?—By voluntary contribution. Sometimes from corporate bodies, as the Corporation of London; sometimes Her Majesty, and others of the nobility, but all voluntary.

3345. Solely?—Solely.

3346. In London?—In London, and in the country generally.

3347. Have you applied for aid from Government at all?—Not at all.

3348. What, in your opinion, would be the effect of aid given by Government?—I think it would tend to stimulate our efforts very much.

3349. What kind of aid are you contemplating as that which would be most advantageous to be given?—Money.

3350. Should they take the whole burden on themselves, do you think?—No.

3351. What would you advise upon that point?—I think the schools, as at present constituted, having a large portion of effort voluntary, is a very good basis or constitution to go upon; and that if they were to be assisted from some fund, either parish or public, I think it would go very far to stimulate the efforts of those now engaged in the work, and assist them in carrying it out to a far greater extent.

3352. You think the best system would be voluntary effort, aided by Government contribution?—Quite.

3353. Would you have Government inspection?—I have no objection to it; some of our friends seem to have a fear of it; I never have had any. We need be ashamed of nothing we do; and the more inspection we have, I think the more improvement we are likely to have.

3354. You do not yourself see any objection to it?—None at all.

3355. Can you make any suggestions to the Committee with reference to alterations in the present law that you think desirable for remedying the evils with regard to which this Committee is now inquiring?—I think there ought to be some power whereby street-begging should be put down. I think we shall never get the great evil of vagrancy and juvenile delinquency remedied until we can put that down.

3356. What kind of power do you refer to?—Some power to apprehend children going about pretending to sell things, and yet begging or thieving.

3357. Do you mean something like the power which is exercised in Aberdeen?—I do.

3358. What would you have done with them; you say that there should be a power to apprehend them; how would you dispose of the children when they are apprehended?—I would either make the parents provide for them or send them to certain schools. If the parent could not be made to do so, I should dethrone him altogether, and keep possession of the child.

3359. Where he had the power to do so you would make him pay?—I would decidedly; there are many parents who are earning quite sufficient to maintain their children and send them to school, but who spend the money upon drink, upon intemperance of all kinds, and then throw their children into the streets to beg; indeed, we have many instances of children being forced to beg, and the money spent by the parents in sensual indulgences and vicious practices.

3360. Would you render the parent liable for the maintenance of the child in a school of this kind, whether he had or not done his best to bring up the child rightly?—No, I would not; I think we are bound to assist the poor (whom we are told by our Saviour we have always with us), and that we should endeavour to help such a man, because he has done his best. A poor man should not be compelled to do more than his best.

3361. You would give a magistrate the power, in a case where he was satisfied that there had been neglect on the part of parents, to order it?—Yes; that is my idea of it.

3362. Supposing the parent to be unable to pay at all, do you think that the locality in which the child resided should be made chargeable?—I think decidedly that the parish where the child is should be made to pay, and that if the parish schools are not suitable for such, he should be sent to such a school as an Industrial Ragged School, and the parish made to pay for his maintenance there.

3363. You would require also a power of detention besides that; you have already mentioned that there would be a power of detention required by law?—Yes; it is rather a difficult subject to deal with; I would rather leave it to others more experienced to determine how that power should be given. But if by law we can compel a parent to give his children food, I think we should do the same as to instruction.

3364. Have you had any experience on the subject of reformatory schools; I mean reformatory schools so called; probably you would call yours reformatory schools, in one sense?—Yes, I should, especially our feeding schools.

3365. Do you consider them, like the Aberdeen schools, to be preventive than otherwise?—Yes, I consider ours preventive; we want more prevention than punishment, and the expense being far less, it ought to be attended to more. I have seen several reformatory schools; I have seen one at Red Hill, and one at Dusseldorf, on the Rhine, where criminals were taken and worked at field and other work, and very successfully.

3366. Have you been to Dusseldorf?—I was there two years ago, and saw it; and I have likewise seen the account of Mettray.

3367. Have you been at Mettray?—I have not been at Mettray, but I have looked into the account of it a good deal, and like it much.

3368. Have you any practical suggestion to make with regard to the subject of the inquiry of this Committee; we shall be very glad to hear from you any suggestions which you think it desirable to make?—Well, I think our Ragged Schools, as they are at present constituted, might be very much assisted and extended by parish or public aid; I still think that very much might be done through the present district parish schools, if well managed, to lessen the evil of so many ragged outcast children growing up for crime, especially if field work could be done well, and trades taught.

3369. What schools are you now speaking of?—I refer to such schools as those at Norwood and Penge.

3370. The schools under the Poor Law?—Yes.

3371. The schools at Norwood and Penge Common are district schools?—Yes, they are; I think, however, that all such schools ought to have more industrial classes, ought to have more out-door work, if possible; indeed, I think it should be imperative upon all schools assisted by the Privy Council to have industrial classes for children; I include National Schools and British Schools.

3372. You consider that an extremely important part of education?—I do, a very important part indeed; my own experience has been, both privately and in Ragged Schools, that want of employment is a great cause of crime; and I find many criminal children who have been in National Schools; so that education alone does not seem sufficient. I think that children of that class who attend National and British Schools should all be taught some industrial trade. Boys of the class we take are exposed to many temptations, and I shall send in a few suggestions as to what we might do to lessen them. (*See* Appendix.)

3373. Do you take into your schools boys who have been convicted of offences; would you consider it an objection to take a boy into your school if he had been convicted, say, four or five times?—No, we have rather in our Ragged Schools from the first studied to take the worst.

3374. How have boys of that description behaved themselves when first they have come into your Ragged Schools?—Sometimes very badly. They have often been of a very disorderly character; the teachers have been insulted and driven from the school sometimes; I have myself frequently been driven out of the school, and obliged to run for the police to protect us against them; but it appears to me that nothing can withstand the influence of affection and kindness even in that very debased class, and in time we have managed to get nearly all into subjection.

3375. That is the great principle that you have kept in view?—Yes, kindness, Christian love to the children, and teaching them their duty to their neighbours and to their God, and making the Bible the theme of all our instruction.

3376. With regard to this class who have been convicted several times, have you

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you found that that system, though failing in some cases, has in others been productive of success?—Quite so, and I believe that no other system will really do any good; I mean where moral training and Bible teaching are not given.

3377. Mr. *Miles.*] After having been driven out of your schools, have you yourself returned to those schools and observed the behaviour of those boys gradually improve as they went on?—I have.

3378. And speaking with the authority which you do, are you enabled to state, taking now that particular school which you have mentioned, that it has led to the apparent reformation of so many in 100 of these destitute and criminal children?—I could not say the proportion in 100, but I should state most decidedly, from personal knowledge, that some of the very worst boys have turned out the very best lads, and it was by kindness and perseverance.

3379. What is the extent of your funds for the schools that you now have?—The receipts of the Union for the past year were 2,800 *l.*, including a balance of 400 *l.* which we had at the beginning of the year, but that sum does not include funds raised in the localities for the various schools, which amount to a considerable sum.

3380. Would they double the original sum of 2,800 *l.*?—Considerably more, I should say; more like four times that amount in London alone.

3381. There is room in the metropolis for a vast number more of these Ragged Schools, is there not?—Decidedly.

3382. Do you think it possible that you could increase them up to a point that you think it would be advisable so to do by the local contributions of benevolent persons?—I have no such hope of being able to increase them to the number that is required to diminish the great evil, without some extraneous aid, some other aid beside voluntary contributions.

3383. Therefore, looking to the benefit which has accrued to the community already by the establishment of these schools, do you not think that Government should seriously take into view the policy and necessity of assisting the contributors in their donations towards the schools, so as to make them general in the localities in which they are wanted?—I do; for though Ragged Schools have been popular, they may not long continue so; and, being a public good, I think they should be helped forward with public money.

3384. Mr. *Adderley.*] Are all these Ragged Schools exactly upon the same plan?—No; they are so far exactly upon one plan, that the Bible must be taught in all of them. The great object of our union was, that the children should be taught reading in order to read the Word of God.

3385. The same kind of management, the same arrangement?—The same arrangement.

3386. Are they all on one model?—So far that they all have local committees, and unless they have a local committee we generally decline to assist them, and in all the authorized version of the Scriptures must be used.

3387. And the same superintendence of committees manage the whole group of schools; is there a body that manages them all?—There is a local committee for each local school; the Committee of the Ragged School Union merely superintends so far as to visit them from time to time, and to call delegates together from different schools from time to time, to see how they are progressing, and to insist upon an account of what they do with the money that is granted to them.

3388. Then one financial account is kept of the whole?—We only keep a financial account of our own receipts and expenditure; the local committees have a separate account, which they publish annually, and read generally to their subscribers and friends at a public meeting.

3389. Do they not account to the central committee?—No, only so far as giving an annual report, which annual report is generally laid before us.

3390. Do you find that you have no difficulty in procuring masters for new schools?—We have experienced difficulties, but these difficulties are lessening.

3391. Where do you generally get masters for your schools?—We have had them from the British and Foreign School Society and from the Home and Colonial School Society; but we find the best masters those who have been practically engaged in the work, and take it up from the first as a matter of delight and christian duty.

3392. Do you believe that these schools could, by degrees, train and furnish masters for other schools?—I believe that masters might be found amongst the Ragged Schools of London from the voluntary teachers to supply many country Ragged Schools, if needed, and also new ones in the metropolis as they arise.

3393. Do you think that such schools should be introduced in all parts of England?—I do not think they ought to be introduced into all parts of England; I think that there never should be a Ragged School unless it is needed.

3394. And where do you suppose it would be needed; in what sort of locality?—In all large towns where the population is of that low, debased, vagrant class that we find so large in London, where thousands upon thousands are still, in spite of our efforts, infesting our streets, doing mischief, and corrupting each other.

3395. But you do not consider that there is such a class in all large towns?—I do not, but in most large towns there is. I could name the country towns that at present have got Ragged Schools.

3396. Perhaps you would be good enough to do so; is it a long list?—It is a list of about 40 names: Southampton, Portsmouth, Manchester, Sheffield, Birmingham, Bath, Bristol, York, Newcastle, Hull, Nottingham, Brighton, Cheltenham, Windsor, Plymouth, Edinburgh, Glasgow, Dumfries, Perth, Dundee, Aberdeen, Isle of Man, Ipswich, Dublin, Belfast, Cork, Waterford, Gravesend, Biddleford, Guilford, Norwich, Whitehaven, Jersey, Dover, Luton, Margate, Chester, Woolwich, and Reading. I may mention that in Liverpool they have about 20 Ragged Schools; at Manchester they have only one. In some of the other places named there are several, making in all at present about 70 such schools; that many of them only open three or four evenings a week.

3397. In these large towns are there no schools in which the class of children that are taken into the Ragged Schools could be provided for?—There are the poor-house schools, but many of the parents of the children take the children and force them into the streets to beg, and will not go into the poor-house.

3398. Have you seen many poor-house schools?—No, I have not.

3399. Do you consider the Ragged Schools preferable to the poor-house schools; supposing you had to choose between the two for this class of children, which do you think would provide education most suitable to them?—I see no reason why the poor-house schools should not be so improved as to admit a large number of these poor children, and do them essential good, if they would add, as we do, industrial classes, and give them more moral training and out-door work.

3400. You would prefer their being away from workhouses?—I think the system of the school being away from the workhouse altogether, and under perhaps a different name, such as "Industrial School for the Poor," or some other title, would be a very excellent plan. I know cases where in the workhouses at present, in Marylebone, for instance, persons have been for the first, second, and third generation in the workhouse, the mother, daughter, and granddaughter all being in the poor-house.

3401. All in their turn have come into the workhouse?—They have been born and bred in the poor-house. I know one case just now where a man will not go out; he says he has been born there, that they have taught him no trade by which to get a livelihood, and that he will not leave it.

3402. You would prefer these schools to workhouse schools to raise the tone of mind?—Yes.

3403. Why should not this class of children be admitted into the actual primary National Schools that are established?—One objection is, that they are rude in their behaviour, filthy in their appearance, generally without shoes and stockings; another objection is, that they cannot even find the 2*d.* or 3*d.* a week which is needed for their education there; the first cause I have stated would go to drive away respectable children from the National Schools; as respectable parents would not allow their children to meet with the class of children that we take.

3404. They speedily change in appearance, do they not?—Very.

3405. Both by better food and better clothing?—Yes, we insist upon their being clean, and in most schools we provide a place for them to wash in.

3406. So that after a child of this kind has been under your care, say twelve months, you could scarcely tell the difference between him and one who was in the National School?—No.

3407. Do you suppose that you have no cases in your schools in which parents could afford to pay for their children's education in a National School?—We have many, but it is where the parent is drunken, careless, and altogether neglectful of his duty to his offspring; where the parent who ought to provide for his children, does not do so, and recklessly leaves them to grow up for crime.

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3408. In cases of voluntary neglect on the part of the parent, does not such a supply of education to the child act as an encouragement to the neglect of the parent?—So far it may do so partly, but I think that the child on that account is not to be neglected by the community, who, by a timely outlay when the child is young, may escape a vast outlay when he grows to be old.

3409. Do you think that in your schools the case of the actual position of parents to pay for their children's education has frequently occurred?—I believe that in some neighbourhoods it exists to a considerable extent. I have a school at present in my eye where many of the parents are earning sufficient wages to pay for the children's instruction, but who will not do so.

3410. Can you suggest any test by which such an imposition might be avoided?—We can only test it by finding the wages that the parent is earning; we think if he is earning 20 *s.* to 30 *s.* a week he ought to pay.

3411. But can you ascertain it?—We have reason to think that in the neighbourhood I speak of, some parents are earning the amount that I have mentioned; but it requires great efforts to get at such facts, and needs constant attention.

3412. Do you generally inquire into that fact?—All the schools ought to inquire into that fact. It is a rule with us that where the parent can pay for the instruction of the child, the child should on no account be admitted. At the same time, it is a very hard case, where a child is neglected entirely by worthless parents, that he should be left to perish. God's word forbids it, and our own interest forbids it too, as well as common humanity.

3413. How often do the local committees meet?—Rather irregularly; I think generally once a month.

3414. Is there practically a constant superintendence on their part; an inspection of the school?—Yes, there is; but the superintendent of the school is generally the person who takes the responsibility of seeing the children, meeting with them on the evening the school opens, and conducting the teaching.

3415. Is there any paid superintendent, or any officer paid whose business it is to superintend?—I have mentioned that we have now 200 paid teachers.

3416. I mean an officer who on the part of the local committees sees that the rules made by the committees are carried out?—Yes; there is generally a superintendent, in addition to the paid teachers, to overlook the school.

3417. Does he report to the committee?—It is his duty to do so.

3418. How often?—At their meetings.

3419. More than once a year?—Generally once a month, as I have already said.

3420. Do you find much difficulty in disposing of the children after they leave you?—In London we have found considerable difficulty. We have no means to emigrate them in sufficient numbers, or pay premiums for their apprenticeship.

3421. You cannot find employment for them in London?—No, not all at once, principally from the reason that they have no character; but in some schools, such as that of Liverpool, where the boys have been taught and properly attended to for some time, they have no difficulty at all in finding employment for the children.

3422. They have less difficulty in Liverpool than in London?—Certainly, considerably; and they are indeed preferred there to the children from the pauper schools.

3423. Why is that?—They are considered to be better taught, and to have more moral training, being more under voluntary agency than pauper children, and to be taught to do more with their hands.

3424. Do you suppose that the education which is given in your schools is also superior to that in the poor schools in your neighbourhood?—In some of the schools I think so, decidedly. The one that I have mentioned in Grotto-passage, Marylebone, is an instance where children, who were found unmanageable in the workhouse on account of bad behaviour, have been taken in, and reformed and emigrated.

3425. Is the education in your schools equal to that in the National Schools?—In a literary point of view, I should say No; our teachers, generally, are not so qualified. In some cases it is quite equal, but not in many.

3426. Can you state the cost per head of children; first, of those who are boarded and lodged; and, secondly, of those who are only boarded, and not lodged?—Generally it has been about 8 *l.* to 10 *l.* a year where they are lodged.

3427. And those who are boarded, and not lodged?—Generally about 6 *l.* or 7 *l.*

3428. Does

3428. Does that include all expense; does it include a share of the establishment expenses?—It includes the rent, taxes, masters' salaries, and other expenses connected with the school, and also food.

3429. Mr. *Fitzroy.*] You have spoken two or three times of the deficiency of moral training in pauper schools; what part of the training do you allude to when you dwell upon the deficiency of moral training; in what respect do you find this deficiency of moral training?—Partly from the want of what we have in our school, so many voluntary agents; we usually divide the boys into small classes, and teach them separately, so exercising a great influence upon them in a moral point of view; and teachers often take a deep interest in their class.

3430. How have you arrived at the conviction that there is a deficiency of moral training in those schools; what evidence have you?—From there having been only one teacher generally, who has been an official stipendiary teacher, not being so likely, in my opinion, to influence the children as voluntary teachers, who take up the matter from the love of it.

3431. That is an opinion that you would form of the favourable results of the system; but I ask you if you are aware, of your own knowledge, of the practical circumstances being such as you have alluded to?—Only so far as I have been aware, in many instances, of the children from workhouse schools turning out bad.

3432. You mentioned the cases of children discharged from the workhouse in Marylebone for bad behaviour; is it competent for the parochial authorities to discharge destitute children from the workhouses for bad behaviour?—In that instance they did so, and a friend of mine took them to one of our refuges.

3433. In one instance, or several?—It was in several instances.

3434. They discharged the destitute paupers in consequence of bad behaviour?—Yes, youths.

3435. Mr. *Miles.*] Were they above the age of 16?—I am not quite positive; I think they were.

3436. Do you know anything about Knellar Hall establishment?—I do not.

3437. If the best children were taken out of the pauper schools, and underwent, at Knellar Hall, an industrial training, in addition to education, do you not think they would be very proper persons to put at the head of these Ragged Schools, supposing they were very much wanted, and that there was a deficiency of masters?—That would very much depend upon whether they were well trained and would make good masters for such schools as ours.

3438. Mr. *T. Egerton.*] Have you ever had any instances of boys who have been inmates of your Ragged Schools being afterwards appointed teachers?—Yes; we had one or two instances of boys who have come in very destitute, and likewise very vicious, and have reformed and become teachers. I wish to add one statement to that of Mr. Thomson with respect to Edinburgh, as the Committee seemed to wish to have some returns as to decrease of crime there from Ragged School efforts.

3439. *Chairman.*] Are you in possession of any information relative to Edinburgh which you wish to give to this Committee?—I am.

3440. What is that?—It is especially in respect to the diminution of crime there; it is, that the number of prisoners, between the ages of 14 and 16, committed to Edinburgh Prison during four years ending December 1851, diminished as follows: 1848, 542; 1849, 440; 1850, 361; 1851, 227. On this point I beg to hand in a letter from the governor of the Edinburgh prison, as follows:

My dear Sir, Prison of Edinburgh, 17 December 1851.

I beg to send you enclosed a tabular state, showing the further decrease in the commitments of juveniles to prison during the year ending 30th November last. The decrease in the number of lads from 14 to 16 years of age is very striking. It amounts, you will perceive, to 37 per cent. as compared with the number of the same class committed last year. I do not doubt that the Ragged Industrial Schools have been the principal agents in producing this result,—a result which, to all the friends of these institutions, and to yourself in particular, must be very gratifying.

I am, &c.

(signed) *J. Smith.*

Dr. Geo. Bell, Honorary Secretary,
Original Ragged and Industrial Schools, Edinburgh.

Veneris, 18° *die Junii*, 1852.

MEMBERS PRESENT.

Mr. Baines.	Mr. Sidney Herbert.
Mr. Fitzroy.	Mr. Cornwall Legh.
Mr. Adderley.	The Marquis of Blandford.
Mr. Miles.	Mr. Tatton Egerton.
Mr. R. Palmer.	Mr. Monckton Milnes.

THE RIGHT HON. M. T. BAINES, IN THE CHAIR.

John MacGregor, Esq., called in; and Examined.

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3441. *Chairman.*] I BELIEVE you are a Barrister at Law?—Yes.

3442. Have you paid particular attention to the subject of the criminal and destitute juvenile population?—Yes.

3443. What are the means of information and the experience which you possess upon this subject?—I have been a Sunday school teacher for the last 15 years; and I have been upon the committee of the Ragged School Union for four years.

3444. That is in London?—That is in London; I am also upon the committee of the largest ragged school in London, that of Field-lane; and have been in the habit of visiting ragged schools two or three times every week, and upon Sundays. I am one of five or six gentlemen connected with the Temple and Lincoln's Inn who have originated and managed the Shoe-black Society.

3445. Are those five or six gentlemen all barristers?—They are all barristers. This society has dealt with 120 boys of the criminal and destitute class during the past year. I have also seen criminals tried at the assizes and sessions, and paid particular attention to their conduct and histories.

3446. You have spoken of the Shoe-black Society; what is that society?—The results of the Shoe-black Society will enable us to show how boys may be taken——

3447. But what is the society in the first instance; just explain the constitution of that society?—The Shoe-black Society consists of the gentlemen whom I have formerly mentioned, as a committee, and it employs in three different occupations boys selected from the schools in connection with the Ragged School Union.

3448. What are the three occupations?—Cleaning shoes in the streets, cleaning the pavements in front of shops, and acting as message boys stationed at posts in the streets.

3449. How are the boys selected?—The boys are selected by the superintendents of their respective schools; there is then a form filled up to give us information as to their past history and their present conduct and character, and the boys are further selected by our committee from candidates thus sent from the schools.

3450. When did these selections first take place?—Before the opening of the Exhibition; the society commenced to work on the 31st March, in last year.

3451. How many boys were selected for the Shoe-black Society?—We have employed 116 boys in all, and five more will go out next week.

3452. What ages are those boys?—At first we took them up to 16 and 17 years of age, but lately we have found that the younger boys have been more satisfactory; between 12 and 16 are the limits; we prefer the younger ones.

3453. Have any of those boys been at any time found guilty of any offence?—Twenty-seven of them have been criminals; some of them have been many times in gaol.

3454. Mr. *S. Herbert.*] Before employment?—Before employment.

3455. *Chairman.*] Have these boys, then, been employed from the time which you have mentioned down to the present time? No, a number of them have left us.

3456. I suppose there has been less demand for that kind of work since the Exhibition?—No, there is more demand. We have now nearly 50 in employment, and during the Exhibition we had never more than 36.

3457. You were going to state the results, I believe?—I was going to state that the results would show that boys can be taken as nuisances from the streets

and

and as criminals from the gaols, and be made useful servants to the public, able to earn an honest livelihood during their reformation, and finally become religious and respectable lads, or leave us as useful colonists; this has been effected by the activity of voluntary agency, by kindness and constant attention, and above all by continuous discipline; that is, daily and hourly incentives to good conduct, and discouragement of bad.

3458. In what state is that?—Do you refer to the discipline?

3459. Yes, and the encouragement?—I may perhaps describe the day's account of a shoe-black from beginning to end. There are 26 ragged schools which supply these boys. After being selected by us on the recommendation of his superintendent, the boy is trained for about a week at our premises near Charing-cross, and is then clothed in a red uniform, which we find extremely useful, both to the boy, in enabling him to keep himself separate from his former associates; to us, in enabling us to find the boy, and our officers to inspect him; and useful to the public, to show them where the boy is stationed. This, I believe, is quite a novel feature in London. The stations were applied for, and allowed by the Police Commissioners. The whole number of boys assemble in the morning, and prayers are conducted.

3460. Where do they assemble?—At No. 1, Off-alley, George-court, Strand.

3461. Is that one of the ragged schools, or premises which you have got?—Premises which we occupy ourselves.

3462. For the express purpose?—Yes.

3463. Mr. *S. Herbert.*] Do they sleep there?—Ten sleep there, and pay the rent of the whole house.

3464. Where do the others sleep?—Some go to model lodging-houses, some reside with their parents, some in the refuges of the various schools.

3465. *Chairman.*] Then they assemble at the time you have mentioned?—At half-past seven prayers are conducted in the morning by one of the committee, or in his absence by a paid officer, who receives a salary of 64 *l.* a year. The boys go out to their station, and they take their meals at their posts; they are inspected two or three times a day by our two officers; they change from station to station according to a regular order; they return at six o'clock, and pay in all the money they have earned. On Wednesday evenings there is a lecture upon religious subjects; there is a library, a savings bank, and means for providing bath tickets, also a home for 10 of them; they go to their evening school; and there is a Sunday morning school conducted by one of the committee. The rewards and punishments are as follows: the boys are divided into three divisions; the stations in the streets are also classified according to their value, and the boys are promoted from one to another division, thereby having the opportunity of earning more or less money; they have also "good conduct badges," which are given as marks of merit; and as punishments, we report them for bad conduct; we degrade in divisions, we suspend them for a week or warn them, and finally we discharge them.

3466. In how many cases have you been under the necessity of discharging them?—We have discharged 10 lads for dishonesty and serious misconduct; we have also discharged 15 for incompetency, that is, for restlessness, or unwillingness to submit to the discipline, which is extremely strict. That number is very much larger than it would have been had we been properly supplied at first with the best boys from the ragged schools; we were compelled to take 26 boys from one school, and therefore the standard of character was very much below what it is now.

3467. What becomes of the money a boy brings home to you as his earnings in the evening?—Each boy is paid 6 *d.* out of the money he has earned——

3468. Whatever the amount be?—Whatever the amount be; the remainder is divided into three parts, the first is paid to the boy himself, the second is put by for him in the bank, and the third goes towards our expenses.

3469. You speak of his bank; is that the savings bank which you have just mentioned?—That is a compulsory bank, a compulsory provision for his future life, and he may add to it voluntarily.

3470. Mr. *Palmer.*] I suppose the earnings of these boys are entirely accidental?—A penny is the sum charged, but in many cases 2 *d.*, 3 *d.*, 4 *d.*, and 6 *d.* is given. We discourage that practice as much as possible.

3471. The boy brushes the boots and cleans the trowsers for a penny?—Yes; I may state, at present these boys clean about 1,600 boots and shoes every day.

3472. Mr. *S. Herbert.*] Sixteen hundred pair?—No.

3473. Mr. *C. Legh.*] Who finds the blacking?—We pay for the blacking, for the

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the uniform, for the box, for everything, and the boys repay it out of their earnings.

3474. *Chairman.*] Does the boy provide for himself during the day?—In our premises there is a coffee machine, from which the boy supplies himself and pays for it; he carries his food out to his post.

3475. How is the savings bank constituted?—The savings bank is merely what the boys choose to lay by from day to day to accumulate. The boys during the first year have laid by for their future welfare 156 *l.*

3476. And where is that money deposited?—It has been deposited from time to time in the Westminster Bank, and drawn out as required.

3477. Is any interest allowed?—No.

3478. Mr. *S. Herbert.*] What is the largest earnings of a boy per day?—About 10*s.* a day. The largest earnings per week were made by one of them during the Exhibition; two guineas; that was an Irish lad. The earnings at present, for the last four weeks, I may perhaps state at once: in the week ending 15 May, 36 boys were employed; they earned 19 *l.*, which is an average of 10*s.* 6*d.* to each boy; in the week ending the 22d, they earned 17 *l.* 2 *s.* 6½*d.*; in the week ending the 29th, 38 boys were employed, there were three wet days, they earned 12*l.* 7*s.* 6*d.*; and in the last week, June 5th, 38 boys were employed, they earned 19*l.* 17*s.* 10*d.*, which is at the rate of about 1,000*l.* a year.

3479. Mr. *Miles.*] Be good enough to tell us the average of the earnings of the boys in the four weeks you have now given us?—Ten shillings; one boy earned in that week 1*l.* 0*s.* 11*d.*; the next week one boy earned 1 *l.* 2*s.* 7*d.*; the smallest sum earned that week was 5*s.*, by a boy in the second week of his employment.

3480. Mr. *Adderley.*] What check is there upon the honesty of the boy?—I am glad to say their honesty has been beyond our expectation. We have several checks; we generally know the value of most stations, and as the boys are changed from one to the other, we can trace a bad boy if he is dishonest. We have had, in one or two instances, to place watches over the boys, and we have found out one or two cases of dishonesty by that means. We have no other check except that the boys trust to us to lay out their money.

3481. Mr. *S. Herbert.*] Do you maintain a larger number of these boys during the London season than in the winter?—We employed, during the winter, 20, and 20 also as broomers for sweeping the pavements.

3482. That is a diminution?—That is a great diminution. I believe that 200 boys could easily be employed as shoe-blacks in London.

3483. Then at the end of the busy time what becomes of them?—We employed 20 of them last winter as broomers.

3484. *Chairman.*] That is the second occupation you mentioned?—Yes.

3485. Mr. *Miles.*] Will you inform the Committee the difference of the earnings between the winter and summer months?—The average earnings during last winter of a shoe-black must have been very much lower than in ordinary seasons. It was so extremely cold and so very dry that there was little mud, and a great deal of wind; the average earnings were 4*s.* 6*d.* a week.

3486. Then what has been the greatest sum you have paid over to a boy as a third; you say you give them 6*d.* and a third; what is the greatest amount as a third that you have paid over to these shoe-blacks?—About 3*s.*; he therefore carried home 3*s.* 6*d.* in his pocket.

3487. *Chairman.*] You were going to describe the broomers?—The broomers do not exist now. The shops in Regent-street and Bond-street were canvassed, and those of them where a shopkeeper was willing to pay 1*d.* a day were put upon a list, and boys were sent, each of them taking 20 shops and making 1*s.* 8*d.* a day.

3488. What did they do; sweep in front of the shops?—They were ordered to sweep the pavement from morning till evening, and keep it perfectly clean from dust. We paid 83*l.* to these boys, and they earned 82 *l.*, so that 20 boys were kept for 1 *l.* for some months.

3489. That was during the winter?—Yes.

3490. Are they not employed now at all?—The shoe-black employment is about twice as lucrative as the other, and we required our best boys as broomers. The chief value of the comparison between the two employments, with respect to the inquiry of the present Committee, I consider to be this: as a shoe-black we find it easy to train a boy, because he is paid for every act of labour, and his industry is encouraged. As broomers, we found that our best and most disciplined

lads

lads soon fell off in character; they were paid at the end of the day, and they were not therefore so stimulated to be constant and active in their labour.

3491. Mr. *C. Legh.*] Then they received no payment beyond the payment made by the shopkeeper?—No.

3492. Individuals did not pay anything to the broomers?—No.

3493. *Chairman.*] You withdrew them from that employment, and you employ them as shoe-blacks now?—Yes, for two reasons; it is more lucrative, and a better mode of training the boys for future life. The shopkeepers objected, in the dusty days of March, to the flag sweeping, but in the winter they like it very much; we shall probably employ the boys again.

3494. What is the third occupation you spoke of?—It is that of message boys; we have only employed four; they have been about a month in our employment.

3495. What is the nature of that employment?—The Electric Telegraph Company have allowed us to place two boys in Lothbury and two at Charing Cross; we have selected our best boys for the purpose; and clothed them in a better uniform, with black trousers red-striped, and a little red jacket; they carry messages at the rate of 2 *d.* for the first half-mile, and 1 *d.* for every half-mile afterwards; they are furnished with books to book their parcels; and they are responsible for a booked parcel up to the amount of 3 *l.*

3496. Then they carry messages and parcels?—Yes; the Electric Telegraph Company have employed the boys; this has been only an incomplete trial.

3497. Mr. *Adderley.*] Are these boys responsible?—The boys we employ as messengers have all money in the bank; some boys have 7 *l.* in the bank, placed to their credit, and we should come upon their bank in case of wilful loss.

3498. Should you be responsible if they were defaulters?—Yes, by the terms of an agreement; but we have taken care to provide against that by employing boys possessing money.

3499. What are the results of the system adopted by you as regards boys who have been found guilty of offences?—I should perhaps state first what has become of the boys whom we have employed: we have employed 116 from the 31st of March; 18 have obtained permanent situations; two of them are apprenticed; 16 have left of their own accord, some of these for employment; 10 have been discharged for misconduct, 15 for incompetence; 11 have emigrated, nine to Australia and two to Canada; one died; 45 remain with us, and five more are under instruction.

3500. How have those situations been obtained; has your society exerted themselves to obtain situations for these boys?—We have had constant applications for boys to our society, and we have recommended those boys who have been disciplined for four or five months, and we have some difficulty in getting our boys to leave us for ordinary places; they will not go for less than 7 *s.* a week, and they are very anxious to return to us.

3501. With regard to those who have got into situations, what reports have you had as to their conduct after they have left you?—We have received most satisfactory reports; there are two bad cases.

3502. Out of how many?—Eighteen; for one of them we are not responsible, he was selected by a shop-keeper in preference to a boy that we recommended, and at the risk of his employer, and he is now anxious to come back.

3503. You spoke of the emigration of some of them; how has that been brought about?—The money has been partly supplied from their school.

3504. From the ragged school?—Yes, and partly from the Ragged School Union Committee Fund; in two cases by a gentleman of our committee; and in all cases money has been provided for the outfit by the boys; two boys left us last week who had saved up 15 *l.* towards their outfit.

3505. Out of their own earnings?—Yes, which more than paid for their outfit, leaving about 5 *l.* to spare.

3506. How have these boys been selected who have emigrated; what has been the principle upon which you have proceeded?—There are not so many who are anxious to emigrate.

3507. Have the boys themselves expressed a wish to emigrate?—Yes, that of course is a necessary prior step.

3508. They consent?—Yes.

3509. Have they originated it, or has it been suggested to them that it would be desirable they should emigrate?—It has been suggested while at their school, and it has gradually become known.

3510. Mr. *Adderley.*] What prospect was held out to them?—In two cases they

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they were apprenticed under Captain Stanley Carr; in other cases they have gone out like other ragged school boys.

3511. *Chairman.*] Have you anything to add before you come to state to the Committee the results?—We have had 27 boys who have been criminals, and 29 who were either abandoned by their parents, or had drunken, depraved parents, or had parents who were convicts. Of the 27 criminals, three have been sent out as emigrants, five have obtained situations, four have been discharged for misconduct, two for incompetence, three have left of their own accord, one has been restored to his friends, nine remain in our employment.

3512. Do you mean boys who have actually been convicted of offences?—Yes.

3513. Acts of stealing?—Acts of stealing.

3514. Not mere vagrancy?—No.

3515. You do not mean begging?—No, I consider those to belong to the second class.

3516. Now be good enough to proceed to the second class?—Of the second class, out of the 29 four have emigrated; six have obtained situations; one is an apprentice; seven have been discharged for misconduct; two for incompetence; one has left of his own accord, and nine remain in our employment. One of these criminals, that is, of the first class I have alluded to, was promoted to the rank of inspector, and paid 10*s.* a week in our society. Another criminal, who was a burglar, came to us with a bullet in his neck; he was also promoted to the rank of inspector; a third, who has been about 30 times in custody, and three times in gaol, is going on favourably. A fourth, who has been twice a criminal, and has a drunken mother, has obtained a situation; another, the son of a transport, is one of the boys who left with 15*l.* In another case, a boy who has no father and a drunken mother, and was a criminal himself, had obtained a situation as an in-door servant; he commenced family prayers in the kitchen, and is giving every satisfaction. One more case, a criminal without a father, and whose mother is a criminal, is one of our best boys. Out of 70 who have left us we have had 45 successful cases; out of the 45 who remain we have had 37 successful cases; so that in 82 out of 115 we have been successful. I wish to state the information that I have obtained from these boys by calling them together, and by asking them several questions as to their expectations and wishes for their future life. I called 42 boys together, and I believe that the expression of their desires and opinions has been given to us in a way in which it could not have been given to any paid functionary. Out of the 42 boys, I asked how many would like to be employed in the following capacities: 11 wished to be employed as tailors; 29 objected; 17 as shoemakers, 21 objected; 19 as errand boys, 13 objected; 18 as shop-boys, 15 objected; 4 as soldiers, 35 objected; 27 as sailors, 11 objected; 30 as gardeners, 10 objected; 13 as country labourers, 20 objected; 22 as clerks, 11 objected; 21 as emigrants, 18 objected.

3517. Mr. *S. Herbert.*] Is that out of the ragged schools generally?—No, out of the shoe-blacks we are now employing.

3518. Mr. *Miles.*] Shoe-blacks who are now employed by the union?—The shoe-blacks are under a perfectly distinctly managed committee of the Ragged School Union.

3519. Mr. *S. Herbert.*] But how do you make out these numbers?—The same questions were asked of the same boys over and over again.

3520. So that the same boys had the option of several trades?—Yes.

3521. And accepted several?—Yes.

3522. Therefore one boy would have been a soldier, a tailor, and so on?—Yes.

3523. How many boys actually accepted trades?—Eighteen have obtained situations, 11 have emigrated.

3524. The Marquis of *Blandford.*] You stated 42 were asked; how do you make up the number 42, because the aggregate of the number you have given us is more than 42?—The whole 42 were asked all the questions.

3525. Then some of them must have accepted two or more different occupations?—Yes; it was to show their predilections for one employment over another; the same question was put over and over again.

3526. Then some of them must have signified their predilection for two different occupations?—Yes; for instance, those of a country labourer and a gardener.

3527. Mr. *Miles.*] Out of the whole number, have any of the boys objected to belong to any of the trades you have specified?—Yes.

3528. How many?—I cannot answer that question.

3529. Did

3529. Did any of them object to any of the trades?—Yes; I have already stated the number objecting to each, but I cannot ascertain how many objected to all the trades proposed.

3530. What is the area of London in which you employ these boys; it is confined, is it not?—No, we select our stations merely according to our own discretion, and we then apply to the Commissioners of Police; this occupation is chiefly lucrative in the city; you pass seven boys as shoe-blacks and two messengers in going from the Temple to the House of Commons.

3531. Then as the field of your operations you take the whole metropolis?—We do, within a convenient distance.

3532. Mr. *Adderley*.] I think you said that generally you took boys about 12 or 13?—Yes.

3533. And during these four or five years, how long have any of them stayed?—There has been only one year.

3534. Could you state what the degree of education of the boys has been who have come to you?—Of those who are at present with us, 32 can read the Bible satisfactorily, and 20 can write.

3535. What should you say was the general state of knowledge upon important subjects, especially upon subjects of religion?—Their religious education is our first object.

3536. But their state when they first came to you?—Their religious education is the first object of the ragged school, and therefore it is generally more attended to than that of any other class of children.

3537. What amount of instruction do they receive while they stay with you? They receive nothing from us except the morning prayer, the weekly address, and the teaching in the Sunday class; but we are making arrangements to commence a school and make them pay for it.

3538. Do you believe that they will ever spend money in instruction?—Yes.

3539. Would that be instruction in taking all the boys together, or would they come in relays?—We should take 20 on one night and 20 the next night.

3540. Could you state what generally is the condition of their parents or their homes?—First of all, I may state that 31 were born in London; eight of them were born elsewhere; three of them are unknown; 21 had Bibles when they came. They are all of the poorest class; we refuse to take any others.

3541. Their parents are of the poorest class?—Yes.

3542. Generally speaking, are their parents respectable; in many cases is it so?—In many cases they are criminals, drunken, and abandoned, as I have mentioned.

3543. Is that the usual character of the parents; a respectable parent would be rather exceptional?—We have had a number of applications from respectable parents to employ their sons, but we have had to refuse them, as we have limited our numbers to those from the ragged schools.

3544. Are the criminal boys generally children of criminal parents?—I can hardly answer that question.

3545. But is there no objection on the part of respectable parents to send boys who have not been guilty of any crime to associate with these?—Far from it; we have a number of candidates, more than we can employ.

3546. The Marquis of *Blandford*.] Do these boys lodge in any institution provided by you?—We have a dormitory fitted up for 10 of them, and they pay 3 *d*. a night; the others are in model lodging houses and their school refuges.

3547. Mr. *C. Legh*.] In cases of illness, are they attended by a surgeon?—We send them to the hospital, and visit them constantly; one of our committee attends to them during illness.

3548. Then any instruction they get is in the evening, in the ragged school, after labour?—Yes.

3549. Is it compulsory, or are they obliged to go to the school?—Yes; their teachers report to us their absence, and their attendance is certainly compulsory.

3550. Do they go to a place of worship?—Where the children of the ragged school go they accompany them. The boys in the dormitory frequently go to Mr. Villiers' Church and Dr. Cumming's.

3551. But it is not compulsory to go to any place of worship?—They must either go to a school or to a church.

3552. Mr. *Palmer*.] Have you any mode of checking the amount of the earnings of the boys?—We generally find out the dishonesty of the boy, by observing his bad character in other respects. If he is not punctual in the morning, if he is

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frequently found away from his post, if he is badly behaved in general, and if his earnings are small, we suspect him of dishonesty.

3553. You have no means of ascertaining whether a boy earns half-a-crown or a shilling?—Except in one or two instances everything has gone on well; we have appointed respectable persons to watch the boys, and report to us, and we have found the boys in nearly all the cases have been honest.

3554. *Chairman.*] Is there any other point connected with the shoe-blacks, upon which you wish to give the Committee any information?—I wish to show that an extension of this system is very desirable. There was some opposition to it at first on the part of the ragged school teachers; that hostility has been overcome, certainly. It is now used in Liverpool and Sheffield, and broomers are used in York, Brighton, and Gravesend. In Dublin there is also a shoe-black society.

3555. On the same principle?—On the same principle. Other associations have applied to us for a large number of boys; one omnibus company wished for 40 boys; others have suggested the use of Kent's knife-cleaning machine; others have asked for message boys; this week one person applied for 12. I believe that London could support 200 shoe-blacks, and that if the criminal and destitute boys were employed as street-sweepers generally, 2,000 or 3,000 could be profitably employed in London.

3556. You stated there were objections to the street-sweeping, and you found the boys deteriorate after they had been employed in that manner, owing to the payment occurring at the end of the day?—It is much inferior, as a mode of discipline, to the other.

3557. Mr. *C. Legh.*] Do you make any difference between what you call sweeping the streets and sweeping the pavement?—By street sweeping I mean that the whole sanitary condition of London might be attended to by boys.

3558. But all street sweepings are paid for at the end of the day?—Yes.

3559. The Marquis of *Blandford.*] The objection rather seemed to be to the payment being made at the end of the day?—Yes, to the fact of the boys not being kept at an assigned post, and induced to be continuously active.

3560. Mr. *Miles.*] Has the Shoe-black Society a code of rules for their general management?—For ourselves, as a committee, of course we have rules; for the boys we have rules which are hung up in the premises.

3561. Have you a code of rules for yourselves and the boys?—Yes.

3562. Would you be kind enough to hand that in?—Yes, I will.

[*The same was delivered in, and is as follows:*]

RULES FOR SHOEBLACKS.

1. Each boy shall bring in every day the whole of his daily earnings.
2. Each boy shall receive 6 *d.* for every day's work.
3. The amount of the daily earnings of each boy, after the deduction of 6 *d.*, shall be divided by three; one third part shall be paid to the boy, another paid to the society, and the remainder shall be paid into the boy's bank.
4. When a boy's earnings are below 6 *d.*, the difference shall be charged to his bank.

RULES FOR BROOMERS.

5. Each boy shall, on the days appointed by the committee, collect the shop payments according to the directions on his card, and pay the amount to the superintendent.
6. Each boy shall receive 1 *s.* for every day's work; 10 *d.* in hand, and 2 *d.* in his bank.
7. The society shall retain 4 *d.* a day from each boy's earnings.

RULES FOR MESSENGERS.

8. Each boy shall receive 7 *s.* a week, 6 *s.* in hand, and 1 *s.* in his bank.

The messengers shall be subject in all respects to the same rules and regulations as are in force with regard to the shoeblacks, so far as they are applicable.

RULES FOR SHOEBLACKS, BROOMERS, AND MESSENGERS.

9. Each boy's bank shall be laid out for his own benefit, upon the following system:—

(1.) The first 10 *s.* in the boy's bank shall, if necessary, be laid out, with the approval of the committee in the purchase of suitable clothes for the boy; and no boy shall be permitted on any account whatever to draw money from his bank, until the same amount to 10 *s.* at the least.

(2.) That after the first 10 *s.* have been so applied, a boy will be permitted to draw a sum not exceeding one-sixth of the amount of his bank, any Wednesday after three days' notice, and with the approval of the committee; provided he brings with him on the day of drawing a written statement from the superintendent of his school, setting forth the circumstances, and supporting the boy's application with his recommendation.

(3.) The

(3.) The amount of each boy's bank when he leaves the society shall be applied for his benefit according to the discretion of the committee, either through the superintendent of the boy's school, or otherwise.

10. Each boy shall give one week's notice before leaving the society, and shall then deliver up the uniform, implements, books, or other property of the society in his possession, or make good their value.

11. Each boy shall be regular and punctual in his attendance at the morning prayers, the weekly address of the society, his Sunday school, and also at his evening school, as often as possible.

12. Each boy shall faithfully observe all the orders and regulations of the society, shall be obedient and respectful to its officers, kind to his companions, and civil to his customers, and shall at all times endeavour to uphold the character of the society in the estimation of the public.

(signed) *R. J. Snape*,
Honorary Secretary.

3563. *Chairman.*] I suppose the funds are altogether furnished by voluntary contribution, except what the boys earn?—It is a self-supporting institution.

3564. Altogether?—It will be after this year; the first year we obtained subscriptions before we commenced.

3565. It is now self-supporting?—It is at present self-supporting.

3566. I think you say that you anticipate an extension of it?—We could extend it indefinitely, almost, but we cannot find individuals like ourselves who would undertake the management. It requires the personal superintendence of gentlemen, and that is given cheerfully every day; but we could not extend or increase our attention.

3567. How many gentlemen are there forming your society?—There are 12 on the committee, but there are only six who are really active.

3568. These are six gentlemen in the Temple and Lincoln's Inn?—Yes, and they are all engaged in ragged schools besides.

3569. Do you wish to add anything further upon the subject of shoe-blacks?—To show the value of the different stations. That at the Duke's statue, near the Exchange, pays us about 2*l.* 5*s.* a week; and I wish to give the Committee the following short deduction from our experience: that the actual nature of the occupation is comparatively unimportant, if industry is immediately rewarded, and not merely enforced; if permanent employment is held out in prospect; if good and bad conduct is made directly apparent to the other lads and to the managers; emulation promoted by classification; honesty by constant money transactions, where trust is involved; economy by daily saving; attention to respectability of appearance by enforcing proper clothing; punctuality by fixed hours; steadiness, by requiring prolonged attention to duties at a certain post; learning, by promoting to stations requiring it; love of home, by providing for those who would be otherwise without a shelter.

3570. Mr. *C. Legh.*] Have you experienced any objection on the part of the parents of the boys to the employment itself?—On the contrary, we have a large number of parents constantly making applications to us.

3571. The parents of individual boys under your care in the institution?—Yes, a large number of boys, 25, support their parents by their earnings.

3572. Mr. *Miles.*] What were the directions you gave to the ragged schoolmasters of the different ragged schools as to the selection of these boys?—We asked them to select boys between 12 and 16 years of age who had been known as boys of good character in their schools, who were known to be destitute, who were anxious to reform; active, healthy, attentive to their Sunday schools; and without reference to their former career.

3573. Did you make any regulation that they should have been for a certain period at their different ragged schools before they were recommended to you?—A superintendent would hardly speak of a boy's character without a knowledge of him of some months; we have, however, enforced attendance at the ragged schools as the only qualification. In one case a boy was found in the street who had come from Edinburgh, and had been educated in the academy there, and who was not attending a ragged school, but had started upon his own account as a shoe-black; he was anxious to be employed by the society, and we sent him to a school for a month.

3574. Then possibly that boy in Edinburgh had been subjected to a higher class of education?—Yes.

3575. And possibly he conceived it degrading to attend the common education given in ragged schools?—A large number of children are sent to our ragged schools

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schools by their parents and friends, who prefer the certainty of good religious instruction to the probability of higher literary attainments.

3576. But still, this boy having been so well educated, you thought it was sufficient that he should have attended merely for one month?—His education was not the point we were doubtful upon; we could have tried that ourselves; but we wished him to be connected with voluntary agency, and to have his character tested by his attendance in school.

3577. *Chairman.*] Could you make to the Committee any suggestions for improvement in the present mode of dealing with juvenile offenders in this country?—I think we might adopt, in dealing with offenders, one of the chief features of our ragged school system, namely, voluntary agency, the employment of voluntary teachers; it is most powerful in reclaiming, and yet it scarcely has yet been tested by the State. At present a boy is entrusted only to the agency of officials: policemen, beadles, and paid schoolmasters, if ever he has been at school; the workhouse master if he is a pauper; his own trade master if he is employed; and if a criminal, he only changes from his position in the workhouse to the control of gaolers. Once interest an unpaid friend in a boy, and he seeks to promote the boy's welfare in a vast variety of ways; and I would here endeavour to fill up an omission in Mr. Locke's evidence, as to the occupation of our children in the ragged schools and the operations carried on. We do not confine ourselves in ragged schools to the teaching of the Bible or religion, although that is our chief object; nor do we confine ourselves to school learning. We have industrial classes, and 1,500 children are employed in ragged schools in London in these classes; we have adult classes for the children when they become older; we have mothers' classes, where mothers attend with their children in their arms; we have libraries for the young and for adults; we have lectures at stated intervals, sick funds for those who are ill, clothing funds, savings banks, prayer-meetings (I attended one lately in Field-lane, where 80 criminal and destitute people were present); social meetings, by which good people are interested in the welfare of the destitute, and become trustees for their benefit; night refuges, emigration committees, public meetings by which people are largely interested in the criminal and destitute; baths, lodging-houses, and a public nursery in one case, where little girls take care of the children of the poor, at the same time receiving instruction themselves; a systematic visitation of the parents of the children attending these schools at their own home; all these managed willingly by a committee of voluntary teachers. We are almost in daily contact with the children and the families connected with them. I would connect this voluntary agency with a system of reformation supported by the State in this way: Reformatory Schools might be established by local rates, and having a power of detention of juveniles; voluntary teachers might be allowed to assist in these, at least upon certain days in the week. Secondly, preventive schools might be established and supported by private funds, not invested with the power of detention, and wholly under the management of voluntary committees; and to these last juveniles should be sent by magistrates and courts of law, and a certain allowance of money paid by the parish, district, union, or county, leaving a quota to be defrayed by private benevolence. An accurate record should be kept of all cases sent to each of these institutions, and thus a wholesome competition promoted among them, as an Act empowering this ought to be local. In the first instance, we might commence by sending criminals to places that have already established a reputation, such as Red-hill, and vagrants to eight or ten of our ragged schools. Two or three years' experience would justify an extension of this plan.

3578. Without some alteration and modification of the law, you would not be able to carry out that plan?—No.

3579. With regard particularly to the power of detention, what do you contemplate is the proper enactment in that respect?—I do not consider that the power of detention is consistent with the employment of voluntary agency in the management of an institution, and I think therefore that the power of detention should be limited to these institutions where the Government or the State has the managing power.

3580. Would you make it part of the sentence upon a tried offender that he should remain a certain length of time, specified in the sentence, in one of these institutions, and that sentence to be enforced?—I shall, with your permission, state shortly what I conceive to be the chief defects at the stage of sentence, according to our present system: a sentence is at present necessarily quite independent of the character of the criminal, and it always must be so; but at present

present it is not modified afterwards either in duration or in rigour by the conduct of the criminal; you must remedy this, by allowing the sentence to be modified, and therefore in the first instance conditional. I would punish every crime, and endeavour to reform every criminal; and I am sorry to differ with Mr. Power in what I believe to be his opinion concerning the punishment of young offenders; I would let no offence go without a strict and certain punishment.

3581. Do you mean punishment in the first instance and reformatory treatment afterwards?—Yes.

3582. Could it take place in one and the same institution, or would it be necessary to have the punishment in one place and the reformatory treatment in another?—I consider that that is a most difficult question to answer, simply because we have no examples to guide us; I am sure that six months' trial would enable us to answer it satisfactorily.

3583. I dare say you have made inquiries as to the state of the law and practice in other countries; are you aware that the law of any other countries throws any light on that question?—I believe that, in investigating this subject lately, we have found that in Massachusetts, in America, the law is different from our own; I should rather not give an opinion about that.

3584. You spoke, I think, of enforcing the liability; will you be good enough to inform the Committee of your views upon that subject?—I think that at present the parent neglecting his child has no scruple in doing so; if the child gets his living, good and well; if the child is in prison, he is taken care of and educated, and I think that to enforce payment on the part of the parents would be highly desirable, but extremely impracticable.

3585. Do you mean so difficult as to be impracticable?—So difficult as to be, in my opinion (I hope it is an incorrect one), impracticable. In the first place, the proof of parentage would be very difficult; it would be much more so where any object had to be gained; the proof of neglect would be intricate, and more than we could expect from the cursory examination that takes place with respect to criminal character. The levying of a rate on the parents would appear to be almost impossible, as those would escape who were most neglectful, and who were most directly connected with the child; and I am afraid that to levy this rate would encourage the migratory habits of the poor, for when a father found that he had to pay in London for his child in a detentive institution, he would go to Liverpool.

3586. You have heard the suggestion that has been made here for an order to be made by the magistrate, or recorder, or judge upon the father, for the maintenance, or contribution towards the maintenance, of his child, and the suggestion went on further to propose that there should be a power of enforcing it, as in the case of an order in bastardy, or something like that; that is to say, by proceeding against the goods of the father, if he has goods, and then against the person of the father, if the magistrate thought proper; in your judgment, would that be a practicable measure?—It might be resorted to in a further state of progress; but in the first instance, I should decidedly prefer making districts and localities responsible, and narrowing the limits of those until we bring down the responsibility to the individual parent.

3587. Would you take any existing districts known to the law, or would you constitute some new districts for the purpose?—The most convenient districts would no doubt be those known to the law, union or parish; the hardship which would be worked would be undoubtedly sometimes very severe upon crowded townships; upon townships like Liverpool.

3588. Would you make the union or parish in which the offence was committed, or in which there had been a certain length of residence, liable; what is your view of that subject?—I have not considered that distinctly.

3589. But you think that that is a point that may be looked to with advantage in enforcing a certain liability upon some local district?—I am certain that that is the general opinion amongst those who are best qualified to judge whom I have met, and I feel that it would encourage rate-payers to accept and to promote sanitary measures, and provide employment; and as to its being a premium to the parents, at present the children generally are a source of gain to their parents; we had a case in the Shoe-black Society, where a boy having saved 7 *l.*, his worthless parents came and claimed the whole, and because it was not immediately given up they took him away from us. To take away children from bad parents is a positive loss to them, and therefore it would be no premium; and as to good parents, they would feel the loss of their children if they were taken away to a

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reformatory institution. For a child, at present, a month in gaol is no punishment; the second time it is still less so; he would think a year in the Reformatory School a much more serious matter, where the labour was hard, the fare plain, and where his liberty would be at first curtailed.

3590. You have said that, in your opinion, the treatment of young offenders should be partly penal and partly reformatory; in your opinion, what is the kind of punishment that ought to be adopted; imprisonment, have you considered that? I believe that the first week of imprisonment has a beneficial effect, and that every day after a certain time has a prejudicial effect. I think that certain confinement would be sufficient, as a punishment introductory to reform.

3591. What kind of confinement; solitary confinement?—Not solitary, but separate.

3592. Is it to prevent the evil of association with other prisoners?—Yes.

3593. You would think that essential?—I conceive that that is included in the word separate.

3594. But you lay stress upon that; you think it is essential?—Oh, yes; at present the discipline of the gaol merely forces a boy for a certain period to be harmless to the public, by giving him no opportunity of following his bad propensities; at the same time it deprives him wholly of the opportunity of exercising his good qualities. If a boy is in gaol for dishonesty, he is utterly unable to acquire a principle of honesty during his imprisonment; if for lying or cheating, he has no encouragement given him to tell the truth; if for violence, wantonness, intemperance, mischief, and general restlessness or idleness, he is not induced, but he is compelled to practice the opposite of this conduct; therefore, when he comes out, his moral power of self-control has been wholly inactive for weeks together, and is generally quite destroyed. The only permanent effects of an imprisonment, so far as I have seen, upon a boy are these: he is first disgraced in his own eyes; he is, secondly, disgraced in the estimation of the public; he is, thirdly, accustomed to a penalty which is never afterwards a terror; he is accustomed to an artificial life where everything is provided for him, without labour, thought, or prudence on his part, and perhaps for the sake of a return to a regular life he comes back to imprisonment. Now, I would remedy this state of things by sending boys for reformation to a place where they would be able to work, and where they would be paid in exact proportion to their industry; I would make them pay for their sustenance at a certain rate; I would accustom them daily to handle money, and in that way encourage them to save, and I would retain their savings when discharged from the institution. I may mention that, in the school of discipline at Chelsea, an establishment which has been for 26 years in existence, and the operations of which are devoted to the reformation of girls sent from prison, during the last month of a girl's probation she is entrusted with the keys of the store-room, and that is considered one of the most important parts of her education. I would next make them purchase their clothes; would keep an exact report of their industry, frugality, steadiness, and advancement in learning; truthfulness, quietness, civility, punctuality; and I would make this to depend, not upon their character gauged at particular times, but upon minute acts; by constant promotion from lower to higher classes day by day.

3595. Is it from their earnings, then, that you would contemplate they should be able to get their own maintenance?—I would make them earn their own maintenance at the trade taught in the prison.

3596. You would give them the opportunity of doing that; and then, if they exerted themselves and did make earnings, that they should pay for their maintenance?—I would force them to get sufficient to pay for their maintenance, which would be very small; they would have no capital to invest, and no houses to provide for. The effect of the present system, both as a punishment and also as a means of reclamation, are much weakened by the circumstances attending the passing of the sentence, and by what takes place when it has been undergone, and when the criminal is discharged. At sessions and assizes I have known young criminals wholly absorbed in maintaining their character as bold and ardent sinners with their bad companions present in court during the trial; I would therefore exclude all young persons from criminal courts. Again, when the criminal comes out of gaol, the day and hour are known to his associates; any good impression which he may have received is at once effaced, and every terror to those outside is at once removed, when they see one who has just passed through this ordeal restored to them with his health improved, his appearance more respectable, and a cheerfulness and liveliness about him which must be the result

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of his restoration to liberty. I would therefore, to remedy this, transport prisoners secretly to another locality for their discharge; and I would discharge no young criminals until some prospect of employment, or of admission into a refuge, or of responsibility being undertaken on their account by others were held out.

3597. That is, you would not discharge them from these reformatory institutions, where you are supposing them to be at the time?—Yes.

3598. That would not be applicable, of course, to the case of a prison, because you make the imprisonment indefinite?—I should state that I would consider the course to be adopted with the criminal to be something of this sort: if he were a young criminal below 13 years of age, and a mere vagrant, or one who had committed a minor offence, or in any case if it was his first offence, he might be sent to a reformatory institution; in all other cases a week's detention in prison, which might be extended to a fortnight if he showed hardihood of conduct, would prepare him for the reformatory institution, so that no one would be discharged amongst the public without passing through the reformatory institution; and I conceive that a vagrant might be passed from the institution, where a power of detention existed, to one of these ragged schools, for which his parish or other district might pay, as I have before mentioned.

3599. Have you any other suggestion to make to the Committee?—I wish to mention also that, in holding out a definite object for the discharge of a prisoner, we must not forget emigration, and we should direct the reading of the classes to colonial life, encourage friendship amongst emigrants, and apply their savings to their outfits; and as to occupation in this country, I would abandon all labour which is imposed merely as an occupation, horse-hair picking, oakum picking, and others of a similar nature; and I would wholly disregard the objection as to this being an interference with the labour market. We never can interfere with the market so much as now, when shopkeepers pay for the boys in prison, and the boys rob the shopkeepers the moment they come out; and no principle of political economy can be a just one which compels us to support the idle, or, what is worse, to make them toil at a fruitless labour. One result of our ragged school system is this: that all well managed schools throughout the country adopt industrial classes as a means of reform, and the employment should be such as to enable the effect on the boy's character to be made apparent almost every hour. At Liverpool I have seen them making paper bags for the shopkeepers, and 25 criminal boys are so employed. This employment is remunerative. In Dublin, fine needlework is found also remunerative. I saw a school at Cairo in Egypt, where the boys were kept from six in the morning until six at night, without anything but books; and I saw a school a few days afterwards further up the Nile at Srout, where 18 criminals were employed in industrial training. The difference between the two was exactly the difference between the schools in London, where there are industrial classes and where there are none; but this was the most marked instance I have ever seen. I visited a school of girls at Jerusalem, where 35 were employed in nothing but needlework, where they had no books, no learning of any kind except industrial training, because it was not permitted; they were Jewesses; one person read out to them during their labour, and it was a most efficient institution. If I may be allowed to supply one omission, I may mention, that besides the employment of boys as shoe-blacks, broomers, and messengers, some girls have also been started in a new occupation, and they are called "Steppers."

3600. What are they?—Girls from one ragged school have been, at the suggestion of one of our shoe-black committee, employed, before commencing their duties in the school, in going from house to house and cleaning the door-steps, for 1 *d.* apiece; washing them, and doing so regularly; and the result has been most satisfactory as a mode of disciplining their minds.

3601. How many have been so employed?—Not more than five, but it has ended in each of them applying their earnings to a good purpose.

3602. Mr. *C. Legh.*] Do you think there should be a punishment for every crime?—Yes.

3603. What system of punishment would you suggest?—I think mere confinement is a punishment.

3604. You objected to oakum picking or anything of that sort?—Yes; to any labour which is to the criminal a mere occupation.

3605. You do not think it should be adopted as a punishment for a more grave offence?—I have not considered that matter.

3606. Mr. *Fitzroy.*] Do I understand you to propose that the management of these reformatory institutions should be entirely in the hands of voluntary teachers?

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—Those having a power of detention should be entirely in the management of public bodies, and those without a power of detention should be entirely as the ragged schools are.

3607. Those without a power of detention or imprisonment?—Yes, except the power of detention, which exists in all schools.

3608. You propose that all should be supported by the local rates?—No; the first should be supported by the local rates; the second should be supported by voluntary subscriptions, and by the payment on the part of the local rates of, say 5 *l.* per child per year; for which the voluntary management would supply instruction, food, and lodging.

3609. Would it, or would it not, be a new principle to appropriate the local rates to any institution over which the rate-payers had no control?—The rate-payers would have a direct control over that institution for which their rates were levied, and would have a voice in the election of the committee of management.

3610. Do you propose to give to the rate-payer the control over the choice of the committee in these voluntary institutions?—No; their rates there would be devoted to the payment for the child, not to the payment for the institution.

3611. Would it be or not a new principle to appropriate the rates to the support of the child in an institution over which the rate-payers had no control?—As an abstract question it would be, but the child would be taken away in this case by the rate-payers if they objected to the institution, and it is also probable that voluntary teachers would be themselves all rate-payers; I hope so.

3612. They might be or might not?—Yes.

3613. You propose that the sentence to be passed upon a juvenile criminal shall be conditional, the length of his imprisonment to be conditional upon his behaviour in prison?—I propose that the sentence should be certain, and that the conditionality of it should be in mitigation.

3614. With whom would you leave the responsibility of determining the period of that conditional imprisonment?—At the first sight, any interference with the term of imprisonment appears to be a somewhat arbitrary power to give to any functionary; but it is certainly not a greater power than is at present conferred upon every magistrate, who has power to disgrace for life any individual of the community who may be brought before him. I would allow the sentence to be alleviated; to be shortened in duration; to be altered in nature upon the recommendation of the managing body of this reformatory school, and I would take care to make such accurate records of the results upon children whose sentences had been so altered, as to make it matter of public notoriety how many in each institution had been properly reformed before they were suffered to depart from it. I think that public opinion would be quite sufficiently involved in it.

3615. I understand that the managers are to recommend, but to whom do you propose to give the power of shortening the sentence?—I cannot answer that.

3616. Mr. *Miles.*] Would it not be better entrusted, as it is now, to the Secretary of State for the Home Department; may he not have the power upon the recommendation of the Committee?—Yes, he might; it might be practically carried out by some person in whom he had confidence.

3617. That would be as little alteration in the law as possible; that would be done by the Secretary of State according to his judgment?—Yes.

3618. Mr. *Fitzroy.*] I understand you to state that you have not come to any decision in your own mind as to the manner in which you would attempt to carry out the proposal of district responsibility?—As to the levying of the rates?

3619. As to making the district or the parish responsible for the criminality?—If we take the case of Liverpool and Manchester, we shall, perhaps, see the two extremes, where, in one case, the town and therefore every district is saddled with the criminality from other parts of the country, and where in the other almost every person is in full employment. It may be illustrated by mentioning that in Liverpool there are 26 ragged schools; in Manchester there is not one; the only school in Manchester at all resembling a Ragged School is quite a different institution, I believe. I cannot see any just mode of levying the rates, if the locality in which the crime is committed is to be burdened with the reformation of all the criminals of such locality.

3620. You propose that a district, although you have not decided what it shall be, should become responsible?—Yes, that a district should become responsible, certainly.

3621. Have you at all considered what legislative enactments would be necessary, in order to enable the ratepayers in that district to enforce that responsibility,

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to enforce the education of the children upon the parents?—I think I said that to enforce upon the parents the responsibility, would be a step so much in advance of what we can contemplate at present, that we cannot expect to arrive at it until we have made the localities properly responsible; and, by narrowing the limits of the locality, come finally to the family and individual.

3622. Then would you propose to give to the locality, or to the authorities in a certain locality, a power to coerce parents into the proper education of their children, even although those parents are not chargeable to that district in any way?—No, nor in any case would I compel or force parents to educate their children.

3623. I understand you to propose to cast upon the district the maintenance of the child in prison, and the care of that child for a certain time, if he becomes amenable to law?—Yes.

3624. Whether that child shall have been a pauper child, or the child of a parent who was not receiving parochial relief?—Yes.

3625. In all cases?—Yes.

3626. That you propose, with a view of inducing the district to compel parents to take proper care of their children?—Not to compel, but to induce the district to induce the parents, and to give them facilities.

3627. Then I ask you whether it will not be necessary to introduce some legislative enactment which will give power to the rate-payers of that district to induce the parents to take possession of their children, who now are not amenable at all to the parochial authorities?—That point would be made very clear when we have established responsibility of district, it being quite a novel feature in our administration of the law, but its proper bearings would soon be made clear if he were content in the first instance to make the district responsible.

3628. You stated just now that a month in gaol was no punishment at all to a child, and a second month still less so; I wish to know whether you consider the second month in gaol to have a less penal character, as far as the child is concerned, than the first?—He feels, in the first case, the difference between perfect liberty and constraint, but he becomes accustomed to it after a certain time. The disgrace is also less in his eyes, because he is not in contact with honest and respectable people, and he is looking forward to the prospect of joining his companions with increased pleasure, which buoys him up during the last three weeks of his confinement.

3629. Mr. *S. Herbert.*] That applies to a short imprisonment as well as to a long one?—Yes; I should say that the shame and disgrace in most cases would overcome the sense of pleasure in prospect during the first fortnight or three weeks of imprisonment.

3630. Mr. *Fitzroy.*] Are you aware of the general treatment of juvenile criminals in our prisons?—No.

3631. You stated just now that they had all the necessaries of life provided for them without labour; are you aware that that is or is not the fact?—I am perfectly well aware of the treatment, so far as that question is concerned; and when I said without labour, I meant that the labour was not connected with the sustenance so directly as to make one depend upon the other.

3632. You think that the existing system of prison discipline is one which does not encourage habits of self-control and of self-denial in juvenile criminals?—Yes.

3633. Upon what do you form the opinion that the self-control, as you said, is destroyed in these children; explain how that is in an establishment where the proper penal discipline is observed?—The penal discipline being preserved is the very point which establishes the fact that the criminal is not induced to exercise control over himself, but is compelled to perform various duties, to go to various places, to read certain books, to get up and lie down, to eat his meals, to attend his chapel. He is compelled to do these things by force; and not encouraged, if he does them willingly, by any prospect of having his fate bettered.

3634. Have you had the opportunity, from conversations you have had with these children, to ascertain what temptations were the principal cause of their falling into crime?—We have been extremely tender in speaking to children about their former career; but several of those temptations which I have heard mentioned in the evidence of the Committee, appear to me to be the principal causes of juvenile crime. The chief cause of all I consider to be the want of sanitary accommodation, which turns out all the youth of our large cities continually into the streets, and prevents them from having any home; compels them to resort in wet days to the beerhouse, and in ordinary days to places were they meet

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meet in large numbers, and either gamble, or do other things injurious to themselves. Our vicious publications are another important cause.

3635. Do you think that the manner in which goods are exposed in the street, so easily within their reach, is one great inducement to them?—Yes; I have seen generally in a criminal court, the most hopeful cases of evidence given of a desire to reform, on the part of those boys who have been led into crime by the exposure of goods, and I should therefore judge that that is a temptation which may overcome many who are not depraved.

3636. Do you think it would be a useful proposition, to saddle a prosecutor with the costs of the prosecution where the goods had been exposed carelessly?—If the jury had to find it in their verdict that they had been exposed carelessly, it would encourage crime more than the benefit accruing from it would be equal to, because in that case the prosecutor would not prosecute.

3637. You think that the prosecutor would sooner run the risk of losing his goods, than run the risk of the loss of his expenses in prosecuting?—The goods goods exposed are in general of trifling value; the cost of prosecuting would be ten or twelve times as much.

3638. Do you think the facilities afforded for the disposal of stolen goods is another great inducement to these boys?—Yes, a very great inducement; and especially a present incentive to dishonesty, the betting-houses. We have found that some betting establishments have even employed our messenger boys.

3639. Do you think that any means might be devised, which would make it more difficult to dispose of these goods in a manner escaping detection than at present?—I have not considered that.

3640. Mr. *Miles*.] I understand you, from your evidence, to recommend two descriptions of school, one a penal reformatory school, and the other what you call a preventive school?—Yes.

3641. I take it that you would in each of these schools send a different class of offenders to them; that the first would be for children who had been convicted before courts of justice, and the other possibly for those who have been brought before magistrates charged with some petty offence; and you would give them the power, instead of committing to prison, to commit for a certain time to these preventive schools?—I do not contemplate the power being given to any person to commit to the preventive schools, because there is no power of detention; but if by the term commitment is meant a mere recommendation, or allowing the charge to drop, the summons to be dismissed, and the promising on the part of the committee that they would take upon themselves to be trustees for the child; to do their best; and at the same time it being apparent to the magistrate that they are responsible officers of an institution regularly certified as a preventive school, that then the magistrate should send the child, but not giving any power of detention to such committee beyond that which every schoolmaster possesses.

3642. Then would you allow this to take place merely upon a first offence, or when offences were oft repeated, and the child was brought before the magistrate many times?—Certainly on the first offence; and upon several offences in the case of a very young child.

3643. Would you make any distinction between offences in which any vindictiveness is shown, from those trifling thefts that children commit?—I think that vindictiveness is only one form of a sinful nature and dishonesty another; and though the effects in one case may be more injurious to society, I would not make any difference on that account.

3644. To return to the penal schools: you recommend that, after the criminal has undergone a certain duration of confinement, he should be sent to these reformatory institutions; would not that conduce to the passing of an imprisonment of a much longer duration than is passed now in cases of larceny, for instance?—Yes, the sentence would be more prolonged; the treatment would be altogether different. I think a reformatory probation would be useless until it has been applied for six months.

3645. At present, in common larcenies, looking to criminal returns, the durations run from one month until about six months, and not longer?—Yes.

3646. You conceive that a certain time must be passed in prison, and therefore a certain time at the penal reformatory school; how long would you say the child ought to pass in prison, and, after that, how long should he be subjected to the reformatory school?—I should say that the period passed in prison, must be so passed by the child chiefly for the purpose of preventing the criminal class

from

from regarding the reformatory school as a place of punishment, and that the period might be four or five days, but not more than ten days.

3647. And how long do you suppose it necessary as the shortest time, that he should stay in the reformatory school?—I would not limit the committee managing a reformatory school, or the Government official, by any minimum of time.

3648. But unless he was there a certain time, particularly if he was an adept in crime, would it not lead to his putting on, in the way of getting free in a shorter time, a character that really did not belong to him?—If he put on that character for a month or two in succession it would become his natural habit. I believe it impossible for a boy to deceive for more than a few days. Those at all accustomed to deal with children would easily detect such assumed reformation.

3649. Then would you, or would you not, for the period of the confinement to which you think necessary to subject the boy, subject him to separate confinement in the prisons, or houses of correction, and then send him to a district penal school?—Yes.

3650. It would be the plan which you would adopt?—Yes.

3651. You would not mix up at all the penal consequences with your reformatory schools?—No, I think it most important that they should be kept distinct.

3652. And supposing district establishments were formed for these juveniles as reformatory schools, do you see any difficulty at all in carrying it out?—I would not compel districts to carry it out, but if it were an Act like the Board of Health Act, for which districts might apply, I cannot see any difficulty.

3653. But as Government now has the whole maintenance of the prisoner after he is sentenced, do you think there would be any difficulty in laying the same burthen upon them, as far as these reformatory schools go, this being a part of the sentence?—It would be the easier plan, but it would be a greater intrenchment upon the system now in operation; it would be a greater alteration, and it would lose one of the principal benefits of making the ratepayers support such an institution, for it would not stimulate them to do other things which might conduce to lessening the amount of crime in their district.

3654. But then you have a second school, namely, the preventive school?—Which is wholly voluntary.

3655. That should be entirely voluntary?—Yes.

3656. Considering now that, after a criminal receives his sentence, for the whole period of that sentence he is maintained by Government?—A great part of the expense of his support is represented by the interest upon the money involved or sunk as capital in building the gaols. I believe those are built by the county. More is expended in that way than would suffice for the whole cost of the maintenance of the criminal in a reformatory institution.

George Henry Hewit Oliphant, Esq., called in; and examined.

3657. *Chairman.*] I BELIEVE you are a Barrister-at-Law?—Yes; I have been eight years on the Northern circuit, and have attended various sessions there.

3658. What sessions do you attend?—Cumberland, Westmoreland, Liverpool, and I have also attended Kirkdale sessions formerly.

3659. I believe you were associated with Mr. MacGregor, the gentleman who has just been examined before the Committee, in the Shoe-black Society?—I was one of the original members of the committee of the Shoe-black Society, and have taken an active part in its management.

3660. You have also paid great attention to the subject of Ragged Schools?—Yes, I have, in connexion with the Shoe-black Society, though I am not a member of the Ragged School Union.

3661. You have heard the account which Mr. MacGregor has given of the Shoe-black Society, and of the Ragged Schools?—I have.

3662. Without going over those details again, do you generally concur in the statements which Mr. MacGregor has made?—Yes, I do generally concur with Mr. MacGregor, but I wish to make one or two explanations.

3663. You are aware of the particular subjects of inquiry of this Committee?—I am.

3664. If there is any suggestion which you have to make with reference to that subject, the Committee will be very glad to hear it?—I think the great point in

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in the Ragged School system is the Christian instruction which the child receives there, and the manner in which that is effected, namely, by dividing the schools into small classes, and those classes being taught by regular voluntary teachers, who are thus able to take personal interest in the individual children, and for the purpose of this sort of teaching, ragged schools are divided into sorts of stalls, like stalls in a stable, and in each stall a class is taken for instruction by one of these voluntary teachers. Religious instruction is found to penetrate even to the families, the fathers, the mothers, the brothers and sisters of those persons who attend the ragged schools. I think some explanation was asked of Mr. MacGregor with respect to the sick in the Shoe-black Society. Now there is a sick fund, which is derived from fines for want of punctuality, each boy so offending being fined a penny if he is late in his attendance in the morning, and also from voluntary subscription; this money is applied for the boy's support when he is sick; the fund is only on a small scale, because the occupation of a shoe-black is not at all an unhealthy employment; quite the contrary. Another remark was made about the test of honesty; now there is a station-book kept at the office of the society, which shews the value of each station; from this we come to know what a boy ought to bring home every evening, and if he habitually brings home less than we expect, inquiry is made, his conduct is narrowly investigated, and it probably ends by watchers being set over him; two men are generally appointed; these men do not know one another, they are put on the station independently to watch the boy. Each boy keeps his station for a week, and then he is moved on to another station; therefore there is a sort of average, and we can form a very good notion of what a boy ought to take. We found the broomers more troublesome than the shoe-blacks, because they required more superintendence. There being a regular succession of broomers along the streets, there was a want of isolation, and the boys, from their acquaintance with each other in the society, had an inclination to talk together and to play with each other, whereas the shoe-blacks are isolated, and they have not that temptation to play one with another. Another question was asked with respect to the selection of the boys; there is a printed form sent in to the superintendent of each Ragged School, which I shall produce hereafter. This printed form is filled up with certain particulars, and these particulars are entered in a book. Some questions were asked with regard to the temptation which boys had to commit crimes; I certainly quite agree with Mr. MacGregor in his remarks with regard to that; I think that the want of sanitary accommodation is a very strong cause of crime indeed, as well as vicious publications, and goods exposed within reach; I should not be inclined to make the person who puts goods within reach pay the costs of prosecution, because probably in that case the party would not prosecute at all. As it is now at the Liverpool sessions, and I fancy at almost every other sessions, the prosecutor is not allowed his own costs where it appears that the goods have been carelessly exposed, and that operates in some degree as a discouragement; no doubt there is a difficulty lying between not prosecuting at all and costs being given in prosecutions. I think gambling, down from pitch and toss up to betting-houses, another cause of crime. I think that betting-houses have caused very serious evils indeed; and I myself am of opinion that at common law they are illegal. I am of opinion that they are indictable; and in that respect they are very much in the same position as gaming-houses.

[*The following Paper was delivered in.*]

RAGGED SCHOOL SHOE BLACK SOCIETY, 1, Off Alley, George Court, Strand.

Form of Recommendation.

Boy's name - - - - - - - - -

Address - - - - - - - - - -

Age - - - - - - - - - -

Name of Ragged School to which he belongs - -

Length of time he has attended school; whether he can read and write - - - - - - - -

Whether he is regular in his attendance at the Sunday school - - - - - - - - - -

(1.) Has

(1. Has he ever had any, and what employment? -
(2.) How often has he been employed? - - -
(3.) What were his wages? - - - - -
(4.) What was the cause of his leaving his last place?
(5.) How long has he been out of employment? - -
(6.) What is his character as to honesty and industry?
(7.) Has he ever been in prison or in custody; how often, and for what cause? - - - -

As to Parents of the Boy—

(1.) Are they both, or is either of them living? -
(2.) What is their character, occupation, and condition? - - - - - - -
(3.) What is the amount of their weekly earnings? -
(4.) What is the number of their children? Are all or any of their children dependent upon them for support? - - - - - -

As to the Parents of the Boy—*continued.*

(5.) Are they English, Scotch, or Irish? - -
(6.) State other circumstances - - - -

Signature of the person recommending the boy - -

Signature and address of the superintendent of the school - - - - - - - - -

Date of boy's recommendation - - - - - the day of 185 .

This Form, when properly filled up and signed, should be delivered by the boy in person, at 1, Off Alley, any day at four o'clock, under cover, addressed to R. J. Snape, Esq., Hon. Sec.

3665. Would you give some more summary mode of proceeding against them?—I do not see why they should not be put exactly in the same position as gaming houses. Pass a statute declaring that betting houses be subject to the same penalties as gaming houses, and state in that statute what evidence shall be necessary to prove that such a place is a common gaming house. A betting house, frequented, as most of these betting houses are, by disorderly characters, will come under the term, "disorderly house," and so fall within the statute which applies to disorderly houses; but in the case of places like Tattersall's, to which there are subscribers, that seems in some degree under a different principle; because, with regard to gaming houses, it was formerly doubtful whether a gaming house to which people belonged by subscription came within the provisions with respect to gaming houses; but under the 8 & 9 Vict. chap. 109, that is provided for; the fact of subscription makes no difference.

3666. Allow me to ask you whether you conceive that there are defects in the present system of the treatment of juvenile criminals of this country; and if so, be good enough to state to the Committee what the principal defects are?—I think that a very young child should not be sent to prison at all for a first offence.

3667. What do you call a very young child?—A child under ten years of age; I would not send that child to prison for a first offence.

3668. How would you deal with him?—I would send him to a school conducted on the same principle as the Ragged School, but in such school there must necessarily be a power of detention; and as this cannot be effected in the ordinary Ragged School, I should recommend that Government support certain schools managed in the same way as the present Ragged Schools; that is, under the surveillance of the Ragged School Union; but generally under a regular authority or master, directly answerable to Government for his conduct, and that this school should be devoted entirely to the Christian, and Intellectual, and Industrial Instruction of these criminals.

3669. For what period would you authorise the detention in the first place?—That would be very much a matter of experience; it would be impossible to lay down any precise time before hand; but I think, perhaps, the latter part of what I am going to state will throw some light on that part of the subject. I think with regard to beggars, no one has a right to injure either his children or society, by sending his children to beg in the streets; I would recommend that all children found begging in the streets should be sent to an ordinary Ragged School, where they should be managed upon the Aberdeen system; the system which Mr. Thompson mentioned.

 3670. And

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3670. And sent by some legal authority, which they have not at Aberdeen?—Yes, and that they should be sent to some local place of instruction similar to that.

3671. Mr. *Fitzroy.*] What power of detention should you give?—No power; let them remain during the day, and tell them to come the following day; but if they should still persist in going and begging in the streets and keeping away from this school, I should then commit them to the other school which I have mentioned.

3672. *Chairman.*] Should this be a feeding school, like the Aberdeen School?—Yes, to that extent; but it appears to me a very important thing that the children should go home at night; that it should not be a dormitory, but so as to enable the children to go home and exercise an influence upon their parents. I would then, if they insisted upon begging, commit them to the other class of school; I would let the expenses of their support there be defrayed by the parish, who should have a power of recovering the expenses from their parents if they could get it.

3673. Which parish; the parish in which the offence was committed?—The parish in which they were found begging.

3674. The parish in which the offence of begging is committed?—Yes, in which the offence of begging is committed.

3675. Now proceed with your own suggestions; that parish, you say, should have the power of recovering from the parents?—Yes, in the same way as money is recovered from parents for support of children in bastardy.

3676. Would you give that parish the power of obtaining the amount from any other parish; the parish to which the children belonged by settlement, or anything of that sort?—No, certainly not; I would not enter into that part of it at all.

3677. Mr. *C. Legh.*] In the case of your identifying this child as not belonging to the parish, but as a casual vagrant, would you still do so?—Yes.

3678. *Chairman.*] I understand that the parish where the child is taken begging should be the parish chargeable in the first instance, and that parish to have the means of recovering it from the parish to which the child belongs?—Yes, from the parish where the child's parents reside.

3679. Mr. *Fitzroy.*] Are the children who are found begging in the streets generally the children of parents who have goods upon which the parish could come?—No, not generally, but the parish must get it if they can; they often could not get it; the parish are the most fitting people to get it for allowing such bad order to exist in the district.

3680. You say that the parish are the proper persons to become responsible for not keeping proper order; what power have the parish to prevent begging in the streets?—There is a power in the constable to put down begging; that offence has been put down in the parish of St. James's; there is no begging there at all.

3681. *Chairman.*] You mean under the Vagrant Act?—Yes; the parish is generally considered the most responsible.

3682. Mr. *Palmer.*] Did you say that there was no begging in the parish of St. James's?—Begging there has sprung up a little lately, but it was put down at one time entirely; they have attempted to put it down in St. George's, Hanover-square.

3683. Mr. *Fitzroy.*] In what way have they done that in St. George's, Hanover-square?—I do not know, but I have heard the fact stated; and I have not seen any beggars in that parish, at least very rarely. I suppose they have put the Vagrant Act into force there.

3684. Mr. *Palmer.*] Do you speak of children or adults, when you allude to beggars in St. James's?—I allude to both. There are also persons selling combs, and things of that sort, in the street, besides plenty of men who hold your horse.

3685. You do not mean those?—No, certainly not.

3686. Mr. *C. Legh.*] Are there not many beggars at night in that parish?—Yes; I am comparing the present with what used to take place four or five years ago; there is a vast deal of difference, but they cannot put it down altogether. With regard to children who have committed one offence, and who are convicted a second time, I would allow them to go to prison and be sentenced to a certain term of imprisonment; the mitigation of that would depend upon their conduct, the visiting justices to be the judges of that conduct; and when the visiting justices should consider that the proper time had arrived, then that these children should be sent to a school of the first sort, which I have described, and there be detained a certain time; that time to be decided by the experience which may be

obtained,

obtained, both from the recommendation of other people, and from the result produced, after this regulation has been put into effect. *G. H. H. Oliphant, Esq.*

3687. Mr. *Fitzroy.*] Do you mean the visiting justices to apply to the Secretary of State to recommend the mitigation?—I do not think that would be necessary. 18 June 1852.

3688. You would leave it wholly to the responsibility of the visiting justices to discharge a prisoner when they thought fit?—Yes, to mitigate his sentence, and then send him into this school, where he would be detained. I should recommend that, after a child leaves this school, that then he should be taken into an ordinary ragged school; that he should be kept there upon the Aberdeen system; of course it would depend upon his future conduct whether he gets on in the world. With reference to his employment, he would always have the benefit of the various schemes of emigration, the Shoe-black Society, and all other things which are held out by the ordinary ragged schools; he would have those opportunities of reformation and improvement.

Thomas Wright, Esq., called in; and Examined.

T. Wright, Esq.

3689. *Chairman.*] I BELIEVE you reside at Manchester?—I do.

3690. Have you, for a great many years, taken a lively interest in the subject of juvenile offenders?—I have, for upwards of 20 years.

3691. You have made it your business to acquaint yourself very particularly with the condition of the juvenile classes in Liverpool and Manchester?—My experience is this with regard to the juveniles: that I know with regard to a great number who get into our gaol, it is through bad parents, mothers especially; and I can find from a number of our returned convicts who call upon me in Manchester that they have been very indifferently instructed; they have had no moral instruction at all; and I find that the majority of these returned convicts have commenced in their early days a course of dishonesty; and it is my opinion, and they have said it, that if there had been any place for them to go into after they left gaol the first time, they would never have returned again, and I do know a number of children that apply to me regularly, after they leave our gaol the first time, for me to do something for them; for me to get them employment. I have seen them in gaol again, and they have said to me, "Mr. Wright, if you could have got me employment, I should never have been here again." I think, in order to diminish crime, that it would be a most excellent thing to have places to educate them, and to give them trades, because I know of one or two now myself whom I have taken by the hand, who have been in gaol. I can mention one case particularly; I put him to shoemaking; I supported him for some months; I got a man to take him; the youth is now able to get his own living. Now that youth was destitute of friends; he was an orphan; he had no one to do anything for him. I can find a number in our gaols who are decidedly the children of those parents who are not worthy of the name of parents. I think that if there were institutions such as I have named, where those poor creatures could go after they have served their time in our gaols, that it would be the very means of diminishing crime. I do not see anything else that can be done in any other way than that.

3692. What kind of institution would you propose?—I would educate them in it; give them a moral education; and then it should be so that they should have a long period of imprisonment, or so that they might be confined in those places for a long time, until they could pick up a certain trade, whether shoemaking or tailoring, or tin-plate working, or anything else, so that they might get a thorough knowledge of some occupation or other, by which they might get a livelihood.

3693. You would have trades taught them, then?—Yes, I do not see any other way in which we could diminish crime.

3694. Have you any institution of that kind at Manchester or Liverpool?—We have none for juveniles; but we have a refuge for females, at which a number of these girls turn out well.

3695. Do you mean unfortunate women?—No, I mean for dishonesty; cases that come from our prison.

3696. Do they come to you young?—Yes, from 11 to about 16.

3697. Girls who have been convicted?—Yes, of various offences; dishonesty.

3698. Is this an institution supported by voluntary contributions?—Yes.

3699. Be good enough to explain what is the kind of treatment there?—When they go in there first, they are taught to read, they are taught to write, they are

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taught to sew, they are taught to knit, to wash, to cook, and after they have been there some time, they get them out to service, and a great number of them turn out well; I have taken there myself some people who have been in service three years and a half, two years and a half, and so on, because they very often call upon me at my house, to see me, and to tell me and my wife how they are going on, and it is very gratifying to our feelings to see them well clothed and conducting themselves orderly.

3700. How have they gone into this institution; has some one connected with the institution found them out in gaol, and taken them to it?—They are sent sometimes from the borough gaol at Liverpool, from Kirkdale Gaol. I take them in hand, and sometimes I clothe them before they go in. They do not find them clothing in this Refuge; they merely find them food and lodging and other little comforts.

3701. Are they the gaolers who write to you upon the subject?—No; generally the chaplain, or the governor.

3702. How long has this Refuge existed in Manchester?—It has now existed six or seven years.

3703. You have been well acquainted with it from the first; perhaps you were the founder of it?—No, I was not the founder of it; I have had to do with it from the first; one Mr. Compton was the founder of it at first.

3704. And has the experience of it, should you say, been very good?—Yes; and we have a penitentiary as well in Manchester, for females; and the ladies are very kind to take them from me, and a number of those turn out uncommonly well; but they have now to stay there two years.

3705. What institution are you now speaking of?—The Penitentiary; in the Refuge it is after they have been in it six months, 12 months and so on.

3706. Then do you give them religious instruction?—Yes.

3707. What is the kind of instruction that is given them?—The Word of God; and on the Sabbath Day there are ministers who go in their turns just to read prayers and to preach.

3708. Both church ministers and dissenting ministers?—Yes, both; the home missionaries, what we call the town missionaries, mostly go there.

3709. Are you of opinion that for boys similar institutions might be established?—Yes, I am confident of it.

3710. And with advantage?—And with a great advantage.

3711. Now, what would you suggest as about the best scheme for an institution of that kind; you have paid great attention to these subjects?—Yes, I have often thought it would be a good thing if the Government were to take it in hand.

3712. So as to found it altogether?—Yes; and for the Government to support it, because I am certain that in time it would save the country great expense. I have seen one institution which I wish to see more in our large towns.

3713. Where was that?—At Red-hill; I was delighted with that institution, there are three little boys there that I got in; or rather there are only two there now; one they have sent off to America.

3714. Did you send those boys from Manchester?—No, I happened to be in Knutsford Gaol, and Mr. Gallop told me that they were two brothers that were going to leave the gaol in the morning; Mr. Gallop said to me, "Mr. Wright, I have been trying to prevail upon these two lads to go to the school which we send some of our lads to, but I cannot prevail upon them; I wish you would come down to their cell." I got these two little boys, one 11, the other 13; I talked to them some time about this place; I told them what a fine place it was; I told them they would be well educated in it; that they would have a trade taught them, and that they would be made good men if they would only come to it; that everything would be good for them which was taught them. For some time I could not prevail upon them, but after service these two little boys stopped in the chapel, and the governor said, "What are you doing here?" They replied, "We want to speak to that gentleman." I said, "Well, my lads, what do you want with me?" One of them said, "Well, me and my brother have agreed to go where you told us of this morning." And they went off on that morning, and those two children have given very great satisfaction. Mr. Turner told me he had never had two better lads in the institution; now that was the first time those children were in gaol.

3715. What had they been tried for; stealing?—Pilfering.

3716. How long is this since?—Two years and a half.

3717. Have

3717. Have they been for two years and a half at Red-hill?—Yes, and the other one is going out immediately to Australia.

3718. Have you been to Red-hill lately?—Yes, I was there the day before yesterday.

3719. Did you see these lads there?—Yes.

3720. How did they seem?—I was quite astonished to see one of them so tall. Mr. Turner said to him, "Do you know this gentleman?" I took off my hat, and the boy said, "O yes, this is Mr. Wright, who persuaded me to come to this school."

3721. Then you heard good accounts of them?—Yes, most excellent accounts; I am quite delighted with the institution, and I think that that institution will be a great blessing to numbers.

3722. Would you recommend the extension of such institutions?—I would; nothing would give me so much comfort as to see many of them, and the system extended more in our populous towns.

3723. Would you think it advisable then that the whole expense of founding and maintaining institutions of that kind should be borne by the Government, or should there be voluntary effort in it?—I think voluntary effort, but people in time get tired.

3724. Should there be combination of voluntary effort and Government aid?—I think that would be a very good thing.

3725. Do you think it would be the best thing?—I think it would.

3726. That Government aid might very properly be afforded to such a purpose?—Yes, I do not find above one out of 20 who have got good homes; good mothers.

3727. Have you been to the Industrial School at Liverpool?—I have.

3728. What is the principle of that school?—I was much delighted. I have been at Mr. Nash's, and at the Ragged School, which these good gentlemen have taken such an active part in.

3729. Do you mean Mr. Nash in Westminster?—Yes, and likewise where these gentlemen (Mr. MacGregor and Mr. Oliphant) give their time to them.

3730. Those gentlemen whose evidence we have heard to-day?—Yes.

3731. You alluded, in your answer just now, to the shoe-blacks?—Yes.

3732. I was asking you about the Industrial Schools at Liverpool; what is the plan of them?—Do you mean those sent from the various parishes?

3733. I understood you wish to give the Committee some information about the Industrial Schools at Liverpool which you have visited?—I visited one there; that is where the children are sent from the parish to the Industrial Schools; they are pauper children.

3734. It is a pauper school, is it?—It is a pauper school.

3735. I suppose you are of opinion that industrial training is of very great importance?—Of very great importance.

3736. Is it desirable to establish schools of this kind in large towns, or to have the children in those towns taken to institutions in the country?—I think it would be far better in the country, to get them altogether away from the towns.

3737. And there is greater facility in the country, no doubt, of obtaining industrial employment, out of door work?—Yes.

3738. Farming, and so on?—Yes.

3739. Is there any further information you can favour the Committee with about your own mode of treatment of juvenile offenders?—No further than this: until such time as I can get them employment, or their friends can, if they have any friends, I support them until I do get them employment, or they get employment themselves; I allow them so much a week, so as to prevent them running into further trouble and danger; I find that a very good thing.

3740. Mr. *Miles*.] May I ask you how many young female persons have been passed to this Refuge?—I cannot tell the number, but I should say a great number, because I take sometimes as many as 14 or 15 every year to the Refuge, and about four or five to the Penitentiary.

3741. I should wish, first of all, to direct your attention as much as possible to the Refuge?—I am not the only one who gets young people into this institution, because other people, the town missionaries, may bring them too.

3742. Though you do not know, out of those that have passed through, what about is the proportion that have turned out well, and those that have relapsed into their former habits?—Out of 13 that I have got in, I am happy to tell you that only two have relapsed, and one of them is now in Newport gaol.

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3743. What number has passed through the Penitentiary in a similar time?—I cannot speak to that; I can tell you the number that are in and the time they stop in; there are 82 in at present.

3744. Are the vacancies filled up as vacancies occur there?—Yes.

3745. About 45 a year leave, I hear?—About that number.

3746. Have you kept any account of what their habits have been after they have left; have they reformed?—The matron of the committee is able to tell, because they are able to get situations; the committee makes it a practice to inquire how they are going on.

3747. As I understood your evidence, you think that the first commitment to prison has a deterrent effect?—It has in some, but not in all.

3748. But in the instances you have given us, as I understand, they say to you very often, "If we could have got employment when we got out, we would never have come here again"?—Yes; in many instances.

3749. Would not that show that a first commitment has a deterrent effect?—Upon a number it has.

3750. And if they were placed in a situation to gain their maintenance afterwards, your idea is, from considerable experience, that they would reform?—I am satisfied of it; I am confident of it.

3751. Then in any reformatory scheme that may hereafter be framed, in which criminals who have been convicted may be placed, you would, from your experience, I suppose, recommend that previously to being sent to the school they should pass a certain time in gaol?—Yes, in some cases; I do not say in all; I have seen children at six years old.

3752. Probably you would recommend some alteration to be made in the law, and that they should not be subject to imprisonment at that early age?—Yes.

3753. As we are talking of a home, you would recommend that these children should first of all be subject to imprisonment, and then afterwards to industrial occupations in penal schools?—Yes; but I think if there was a law made that these creatures should be taken for a long time, educated as I said before, and then trained, I have no doubt that in time we should have nothing like the crime that we have at present.

3754. As this is your idea relative to your penal Industrial Schools after conviction, would you not at the same time very much encourage your Ragged Schools so as to prevent crime; nip it in the bud as much as possible?—Yes; we have taken several from the gaol who have been under eight years of age.

3755. I understood you have only one?—Yes.

3756. Are there not in the school 110 children?—Scarcely that.

3757. I heard the other day that you could take 110?—Yes; but there are only 100 in it.

3758. Is one school of that description sufficient for the destitute, for the ragged, and for those who cannot come to your other schools?—Oh, no; I would take many schools.

3759. From your knowledge of Manchester and its population, how many Ragged Schools do you think, to take in the particular classes I allude to, would be required?—There are many districts where there is a great deal of immorality, and I think there ought to be Ragged Schools in those districts; I cannot tell how many districts there are, but I have many in my own mind now.

3760. But in Manchester there are a good many districts which may be called poor districts?—Very poor districts.

3761. I need scarcely ask you whether or not a great number of squalid and destitute children are running about there, and doing what they ought not to do?—Yes, hundreds; and if I said thousands, I should not tell an untruth.

3762. Then you would not agree at all in evidence that the Ragged Industrial School in Manchester is sufficient?—No; they ought to be in different districts of our large populous town.

3763. Taking the work, now, which almost every one can get above a certain age at Manchester, do you think the destitute poor, for the population you have in Manchester, is less than in another place of about the same population?—I cannot speak to that.

3764. Mr. *T. Egerton.*] What means would you have, supposing that you had a certain number of these Ragged Schools, of compelling the children, who you state are running about by hundreds and thousands in the street, to go into these Ragged Schools; what way have you of compelling them to go?—No way except

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by a law to force them in; their parents would never send them as long as they can go out begging.

3765. Therefore unless you have some law of compulsion, the establishment of this description of Ragged Schools would be of little effect?—The children would never go in; in short, their parents would not allow them. In our Ragged Schools in Manchester the majority of the children are destitute either of father or mother; and Mr. O'Brien told me that there are often some parents there that let their children go for a short time, and take them out again, because they miss the food that they used to get for their parents in begging; and I have often remarked that these children who go about begging and so on are sure to get a rather better order of children to go with them, and I have seen other children just get into the same track of sin and iniquity themselves.

3766. What sort of employment have the boys who have been in your Ragged School and are afterwards placed in situations?—They in general get them into cotton mills if they can; some boys they get into shops as errand boys, and that kind of thing. They get them to mechanics as much as they can; to engineers and so on.

3767. But in Manchester and Liverpool the confinement to which juveniles are subject is of the separate kind?—In one gaol, that is the Kirkdale; but in the Borough Gaol they associate together.

3768. In Manchester?—In Liverpool.

3769. But with respect to Manchester?—In Manchester they are all separate.

3770. In the New Gaol?—Yes.

3771. How long has the New Gaol been in operation?—About two years and a half; I wish all gaols were on the same system; there is a great deal of corruption going on there.

3772. Have you seen any difference in the boys after they have been discharged from confinement, within the last two years and a half in Manchester, compared with the previous time when no separation took place?—I have found that those that have been in what are called solitary cells are better than those that have been where they have been congregated together and associated; it is my opinion that great evil goes on where they are all together; where they associate, it has the tendency of hardening the heart of those who go in, I may say tender hearted.

3773. Are not all the gaols now in your neighbourhood upon the separate system?—No; I have been begging the magistrates for two years to make the New Bailey a separate gaol, that is what they call Salford Gaol.

3774. Are the terms of imprisonment to which they are subjected generally for a short or lengthened period?—Short periods in an ordinary way.

3775. What, in your opinion, is the effect of a short or lengthened period of imprisonment of boys?—I have thought sometimes that a short imprisonment would be the best, and a severe one; at other times I have thought a less imprisonment, so as to give him an opportunity of learning to read, and to get that instruction which they do get; I thought it the best.

3776. Do you suppose, even if it were a separate gaol, that the same power of reformation can take place as in penal Industrial Schools?—I hardly think that; I think that in an Industrial School sometimes some naughty children go there, and they corrupt those who have better feelings, except they are on a separate system as well, but that cannot be.

3777. Then you would propose that, upon a child being convicted, he should be at once sent to prison, instead of a penal Industrial School?—At a certain age, I think when a child is from seven to eleven, he does not know much; I have seen children at that early age in our gaols; I never saw but two, one six and a half and the other seven and a half.

3778. Are not a very large proportion of your destitute children the persons who you have been describing as begging about the streets, of Irish extraction?—Most of them, I should say 19 out of 20.

3779. Mr. *Miles*.] Now do you think it would be a good thing, if some more stringent regulation should be carried out relative to theatres, crowded lodgings, public houses, and music and dancing saloons?—Those are the very places where many of our young people, when I have asked them where they commenced, have told me that they were first corrupted at; that is, boys and girls in our cotton mills, and many men for embezzlement out of warehouses in Manchester; many.

3780. The system of betting has very much extended in Manchester; has it not?—Yes, it is very common to see in the windows, "Betting-house."

3781. They take there very low wagers; do they not?—Yes, they do, I believe, in

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in some cases; there is one house even where boys go from 14 to 16 and 17; it is principally boys that go to that house.

3782. Supposing the Committee of Council on Education should agree to advance a certain sum to Ragged Schools in Manchester, if another certain sum were subscribed by private individuals, so to, as much as possible, foster the Ragged Schools in Manchester, would there be any difficulty, first of all, do you think, in getting those subscriptions; and next of all, getting agents to carry out the system which has been adopted in London and other large places?—I do not see any difficulty at all.

3783. Would you recommend that the system should be adopted?—I would.

3784. Leaving it entirely to benevolent individuals to manage the schools, and merely subjecting them, owing to the grant by Government, to an inspection by a Government inspector?—Yes.

3785. You think that this would be an excellent plan?—Yes, both combined together. Allow me to say that it is high time that something should be done, or else I am sure that this country will be overrun with criminals; we are going to commence building another wing to our gaol now; we have about 1,000 prisoners now in our two gaols.

3786. And that at a time when labour was never more valuable than it is in Manchester?—Yes, we have never sufficient labour.

3787. Do the younger criminals form a considerable portion of those whom you take under your care?—No, the adults.

3788. *Chairman.*] You have taken some young people?—Oh, yes.

3789. Mr. *M. Milnes.*] Has the case of younger criminals seemed to you as most deserving of public compassion?—Yes.

3790. Have you found less difficulty in decent situations with younger criminals than others?—I have had difficulty in getting the young ones, and I have been very successful in the others, because at these cotton mills a number of adults has been brought up; I have not had much trouble in getting them employment; but I got as many out-of-door work as I can.

3791. Would not these children then be fit for out-of-door work?—No, they are 9, 10, 11, 12, and 13 years of age. There are a number of that tender age.

3792. Is the number of criminal children in Manchester very great?—Not so great as they have been; but I find at Liverpool there is an increase there, but not so many in Manchester.

3793. How do you account for that; can you explain either of these cases?—The work is more plentiful in Manchester for children than it is at Liverpool. I saw 400 in the Borough Gaol at Liverpool a short time ago; young people from 11 to 16.

3794. What effects, as regards the chance of falling into crime, are produced by the employment of the children in the manufactories?—I attribute a great deal of that to bad parents; bad mothers.

3795. You do not think that what they learn at the mills more disposes them to any criminal act than the other children?—I think not.

3796. Does the employment of so many children in mills cause a large number to be thrown out of work at particular times and occasions?—No, I do not think it does, because I think as the old people drop off, the young people get into their places. They first come as a "piecer" in the winter, then a "tenter," and then a "spinner," and so on. In the women's department, when the young women get married, the others get in their places.

3797. But in hard times, are not the children of a mill diminished just like any other persons employed in that mill?—No, not in number, in the shortness of time, perhaps.

3798. But they are just as much subject to short time as other persons engaged in the mills?—Yes.

3799. You do not therefore think that the incidents of the manufacturing life particularly predispose children to any criminal pursuits?—No, I do not think they do altogether; I think after all, generally speaking, it is their own home.

3800. Are there a large number of vagrant children in Manchester?—A large number.

3801. From what class are they generally?—Irish.

3802. Has the subject of a change with regard to the treatment of criminal children excited any attention in Manchester?—None; I am sorry to say, very little. I know very few who seem to take an interest in what is going on in gaol or out of gaol; I am sorry to say so.

3803. Mr. *C. Legh.*] Do you know Mr. Adshead?—Yes; very well.

3804. Has he not taken an interest in these matters?—Not in discharged prisoners. I am not boasting about it, but there is no one in Manchester seeks an interest in this matter except myself; I have been a labourer in this work for 20 years.

3805. Mr. *T. Egerton.*] You mentioned just now that you traced a great number of evils to home; is it not the fact that in Manchester, and the whole of that manufacturing neighbourhood, young persons of both sexes, after the age of 13 and 14, are emancipated from their parents?—There are some that leave their home by grant when they can do by themselves, but not many.

3806. Do they not receive their own wages?—Yes; every week.

3807. And in some cases pay to their parents for support?—Yes; suppose a boy or a girl gets, say 7*s.* a week, out of that they will give their parents 5*s.*; they will take the 2*s.*, as they say, for clothing; but very often, instead of doing that, they go to these music rooms, and these dancing rooms, and so on, and there their money goes.

3808. They have greater habits of independence of home in the manufacturing districts of Manchester than elsewhere?—Yes; but after all I think it is their mothers' fault who do not make it a home to them; they do not give that parental instruction which they ought to do. The children in Manchester, in a general way in these cotton mills, become their own masters. Instead of those parents seeing their offspring attending their schools on the Lord's Day, that they let them go where they will; because over-night they themselves, the majority of the women in Manchester, I know it to be a fact, are in public-houses, and they get to their houses at 9, 10, 11, and 12 o'clock, and so on.

3809. Mr. *M. Milnes.*] Have the parents of any children who have been reformed, and placed in employment by your means, shown gratitude for your efforts?—Very much so, I can assure you. Sometimes, in walking through Manchester, you will see both men and women thank me for my kindness towards their children; you would be much pleased with it.

3810. You think, therefore, that any attempts such as yours are fully appreciated by the labouring population themselves?—Yes; I will give you an instance of it; I was delighted. Some time ago I was making my way down to the prison, to New Bailey, when I was at work for my daily bread, which I have now given up; I used to attend the two gaols of a night after I had done my work. One night I was going down in a very great hurry, and I met with a man and a woman; the man directly put his hand to his hat. "Mr. Wright," he said, "allow me to thank you for your great kindness towards my brother; I consider that you have been the instrument in the hands of God of saving my brother from destruction." Now that man had been three times in gaol; twice at the New Bailey, and he had served the space of two months up at Lancaster. I was told by one certain Commissioner this: he said to me, "Well, friend Wright, if you reform that man I shall think you will be able to reform something worse." I am happy to say that that man is now leading a very honest and upright life.

3811. Have you found any ill-will and jealousy on the part of the honest and labouring classes at your efforts to reform the criminals?—I always tell them to keep their own counsel; not to say where they have been, but to keep as quiet as they can. I have known a few instances, but a very few, where they have been upbraided for having been in prison.

3812. I rather meant, have you found yourself reproached with having shown this preference for criminals over honest labourers?—I have in some few instances, but not in many.

3813. Do you think, from your knowledge of these classes, that any attempt to reform and educate criminal children in a systematic manner, would be regarded as a premium to crime on the part of honest persons?—Some people might send their children out to be dishonest, but I think but very few. I was talking to one of our magistrates about this, and he said that he thought many parents would send their children out to be dishonest so that it should happen. It might happen with a few; but not with many, I think.

3814. You think the cases would be quite exceptional?—I do.

3815. *Chairman.*] Have you stated what number you consider your own efforts to have been instrumental in reclaiming?—According to the report which I have seen (I have never taken a particular account of them) I should say better than 300.

3816. You, I understand, in some cases become security yourself to masters when

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when they have taken boys who have been guilty of offences?—I have for a man, but never for a boy.

3817. What has been the result of that?—Never but one failure, 5 .

3818. How many cases have you now?—I have one at this very minute.

3819. But you have become security in a number of instances?—Yes, a man left the gaol about six weeks ago, and I went to his old employer, whom I knew. He kept a large brass foundry. I said to him, "I suppose you are aware that So-and-so is in the New Bailey now?" He said, "Yes, I am, Mr. Wright." I said, "Well, I believe he feels sorry for what he has done, and I want to know if you will give him employment again." He did not rob the same gentleman; he had left him, and got a situation at another place, and got drinking; and took a little brass out, and sold it. He looked at me, and said, "Mr. Wright, I feel sorry for the man; but if you will go into the shop and talk to the men, and see if you can prevail upon them to be agreeable, I shall have no objection." I went into the foundry to the men; I got them together, and I talked to them. They seemed to be very obstinate at first, so I left them. I went to my friend; he said, "What do they say?" I replied, They seem a little obstinate; one man in particular." He inquired, "Which one is that?" I replied, "The foreman." My friend said to this man, "What objection have you to the man whom Mr. Wright has come about?" The foreman said, "Suppose there is something missing from here, perhaps you may judge that I, or some of the rest of the men or lads, have taken it." My friend said, "I don't think that will be the case." I called the man by his name; I said, "If you will take this man back into your employment I will be responsible, if he should be dishonest, for whatever he takes away; whatever your charge may be, I will be responsible for it." He agreed to it, and up to the time I left home the man was working at the foundry.

3820. Mr. *T. Egerton.*] Was the disinclination on the part of the men because the man had been a thief, or merely for fear of anything else missing?—No, it was merely that they did not like his coming. In the first place, he was a good workman; he rather surpassed the rest of the shop. I do not think they made any dispute at all about the man's honesty.

Martis, 22° die Junii, 1852.

MEMBERS PRESENT.

Mr. Monsell.	Sir W. Jolliffe.
Mr. Miles.	Mr. C. Legh.
Mr. Fitzroy.	Mr. R. Palmer.
Mr. Tatton Egerton.	The Marquis of Blandford.
Mr. Adderley.	Mr. Monckton Milnes.

THE RIGHT HON. M. T. BAINES, IN THE CHAIR.

John Ball, Esq., called in; and Examined.

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3821. Mr. *Monsell.*] YOU are a Poor-law Commissioner of Ireland?—I am.

3822. How long have you been in that office?—I have been acting as a Poor-law Commissioner since the month of October last only; but I was acting as Assistant Commissioner, with nearly the same functions, and with a delegation of the powers of the Chief Commissioner in his absence, since the month of June 1849.

3823. Before that time you occupied some position, did you not, with reference to the Poor-law Board?—About two years and a half previously. I was appointed in the month of April 1846, and I continued to act during the whole of the famine year, until the autumn of 1847, as inspector, visiting first the province of Munster, and subsequently the province of Leinster, visiting unions, and also attending relief committees.

3824. Has your attention been turned to the subject of the destitute and juvenile criminals in Ireland?—My attention has been very much turned to the treatment of destitute juveniles; my attention has not been specially directed to the treatment of young criminals.

3825. Is there in Ireland a large class of destitute and criminal juveniles, whose trade is crime?—I should say not.

3826. Do you conceive that that class is now increasing there?—Yes; I have reason to believe that, in certain parts of Ireland, that class is increasing.

3827. Will you be good enough to state to the Committee your reasons for that belief?—Perhaps I may inform the Committee that, upon being summoned to attend here, not knowing very definitely the subjects upon which I should be examined, I addressed a circular letter of a semi-official character to some of the inspectors acting under our Board, in order to obtain from them their own impressions as to the facts in their respective districts, and I have obtained from all of them answers to the questions which I put to them; and it is right to say, that in giving answers to the questions I am bound to rely very much upon the opinions and statements of others.

3828. *Chairman.*] Of the inspectors?—Yes; for the last three years having been acting altogether in Dublin, I have become acquainted officially with everything brought under my notice, but I cannot say that questions connected with juvenile criminals are very frequently brought before us there. I have, however, received statements occasionally from our inspectors, either verbally or by letter, and I have upon this occasion received a large number of communications.

3829. May I ask, do your inspectors reside in their districts, as is the case in this country?—They do.

3830. Mr. *Monsell.*] What is your reason for believing that the class of criminal and destitute juveniles is rapidly increasing at present in Ireland?—Chiefly from the opinions that I have received from certain districts, more particularly districts in the counties of Cork and Limerick. I have also obtained a return from a district inspector, who resides chiefly in the neighbourhood of Cork; and I have also received, verbally, information from the assistant barrister for that county, and from other parties connected with the county of Cork.

3831. Be good enough to state the result of the information that you have received from those two persons?—Captain Huband, whose district includes the greater portion of the county of Cork, tells me that in addition to his own knowledge, he has consulted a great number of other persons, for instance, the governor of the Cork county gaol, the late master of the Cork union workhouse, the head constable of the city police, and others; he states also that he has examined the register of the gaols, and referred to documents conveying information as to the characters of the juvenile paupers of the several workhouses from which criminals are committed to the gaols. I may mention generally that Captain Huband states that his impression is that a very large number of criminals are admitted from the gaol to the workhouse of the Cork union. I should mention that the Cork union workhouse is one of the largest in Ireland, having had an average of from five to six thousand inmates for a considerable time past. He states that the juvenile persons frequently committed to gaol, and those who are relieved in the workhouses are nearly identical, that a large proportion of those committed as criminals have previously been in the workhouses, and that he apprehends that a large proportion of the boys who have been in the workhouse schools among the juvenile males, between 16 and 20 years of age, are persons who have committed crime, and who have been inmates of gaols.

3832. For one moment, confining yourself to the question of gaols, and not considering at present the workhouses, do you know whether there is in point of fact now in gaols in Ireland generally any system of reformatory discipline which is brought to bear upon the juvenile criminals?—To a very limited extent, I apprehend.

3833. Do you know whether there have been any efforts lately made to improve the gaols in that particular?—Yes; the last report of the inspectors-general of prisons appears to show that efforts have been made, and to some extent successfully, for the purpose of improving the mode of treating the juvenile criminals in gaols.

3834. Can you describe what the system that has been adopted is; be good enough to mention also the names of the gaols in which that has been done?—I have no other sources of information upon which I can rely than the last report of the inspectors-general of prisons in Ireland, and they speak very confidently of the advantages derived from an improvement in the discipline of gaols, to a certain extent arising from the introduction of the separate system, and to improvements in the industrial training of the young criminals in gaols.

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3835. Are you aware of any obstacles which there have been, particularly lately, in Ireland to the introduction on any large scale of the separate system?—I believe the great obstacle to it has been the very large increase in the number of prisoners since the famine.

3836. Do you believe that a large number of those prisoners that have increased since the famine are of the class to which the inquiries of this Committee principally refer?—I apprehend a very large proportion belong to the juvenile class.

3837. Will you state, if you please, what the difference is between the law in England and the law in Ireland with regard to the remuneration of chaplains for the gaols?—I am not well acquainted with the law in England.

3838. What is the practice?—I believe that in practice the salaries of chaplains in Ireland are limited to 50*l.* a year; I believe they much exceed that amount in England.

3839. In Ireland, the chaplains of gaols do not receive a remuneration sufficient to enable them to devote their exclusive attention to the prisoners?—I believe in no instances, except in some of the government prisons, which are not charged upon the counties.

3840. But I suppose you would feel that the introduction of moral and religious training was the principal means by which permanent reformation could be hoped to be obtained?—Most certainly.

3841. Have you received any information as to the impressions of those that are connected with the management of gaols in Ireland as to the difficulty which arises in reforming criminals who are placed there for very short periods?—Yes; the Inspectors-general, I think, in both their last reports, have dwelt upon the difficulty, and, in fact, upon the impossibility, of carrying out their system of reforming young criminals who are only committed for short periods; it seems obvious.

3842. Confining yourself still to the question of gaols, have you at all considered the remedies that you would think it expedient to introduce into the present system?—That, perhaps, is rather a large question, for it may refer either to improvements in the management of gaols, or to an improved mode of treating the juvenile criminals.

3843. Have you reason to believe that any considerable number of juvenile prisoners discharged from gaol seek and obtain admittance to workhouses in Ireland?—I believe I have partly answered that question. I should say that not very generally, but in certain parts of Ireland. I have already given the Committee some portion of the statements I have received as to Cork. The same statements apply to some extent, to a considerable extent I should say, to the county of Limerick, and I should say that they apply to the unions, or the immediate neighbourhoods of the larger towns, more particularly in the south of Ireland. It is also right to say that the statements I have had, both as to the county Cork, and all others which I have received from different parts, draw a marked distinction between males and females. They say that this class, which wanders, or rather oscillates, between the workhouses and the gaols, are almost exclusively boys; and the general opinion is, that a very small number of girls belong to that class which may be considered permanently criminal and destitute.

3844. And do the juvenile criminals that you speak of, who have spent a portion of their time in gaols, associate with the other children of the workhouses when they enter them?—I believe but in very few instances. In some unions, for instance, as I am informed, in the northern unions, young persons under 15, who are admitted from gaol, are not permitted to associate with the school children, but are kept separate.

3845. Is that separation generally preserved?—It does not appear to be preserved in the districts of which I have already spoken, where a larger number are admitted, particularly Cork and Limerick. There, I believe, they are allowed to associate with the children, there being no mode of preventing their doing so.

3846. Are you able to put in any table which would give the Committee information as to the number of unions in which the separation that you spoke of does prevail?—No, I could not give any tabular statement on that subject. If you will allow me, I will just run through a list of answers, which will show that the cases themselves are so few, that the question in a great number of unions does not arise at all. I have the answers of 21 inspectors, which I have tabulated for my own convenience, and many of them say that they know of "no instance" in their district; others, "very few;" some, "not many." These apply not merely to a certain union, but to a number of unions, which are under the inspection of one

one officer. I could not give any tabular statement, but I have reason to believe that the cases are not numerous, excepting only in the unions in the counties of Cork and Limerick, and some few others in Munster.

3847. Can you state to the Committee what number of destitute juveniles there are at present in Ireland?—I can state generally the number who are classed as "under 15," but I cannot give any accurate subdivision. Necessarily returns of that kind are almost always imperfect; they are taken from a workhouse register, which is not corrected perpetually, so as to bring the ages to the time at which the return is given. The number for the last two months has been a little over or a little under 83,000 for the entire of Ireland, including infants.

3848. Do you know whether a large number of those destitute children have permanent residence in the workhouses; whether they have been in the workhouses for any considerable time, or are likely to continue to remain there?—I believe a large proportion of them to be so.

3849. Does it arise from the fact that they are orphans, or from what circumstances does it arise that such large numbers are permanently located there?—I believe that a larger proportion of them are entered as orphans than really are so. During the famine a great many parents deserted their children, and have not subsequently been heard of, and children have frequently been admitted as orphans upon statements to that effect. All that class, with very few exceptions, must be considered as permanent residents in the workhouses.

3850. Have you reason to believe that consequences injurious to the younger inmates of the workhouses result from the admittance of the criminal part of the population?—Yes; I believe that though the number of cases may be few, yet the amount of evil may be serious from the admission of even one or two ill-disposed boys or girls into a workhouse school. The information that I have received, and that which I am in the habit of receiving, would lead me to the belief, that in general the workhouse education in Ireland, although very imperfect industrially, is in other respects tolerably satisfactory. Very great mischief arises from the occasional introduction of viciously-disposed boys or girls into those schools.

3851. Do you mean by stating that education in Ireland is tolerably satisfactory, that it is a system of education which fits the children that are subjected to it to earn their livelihood upon leaving the workhouses?—I fear not sufficiently; when I said "tolerably satisfactory," I had in view rather the general results as to the moral and literary education of the children, being upon the whole an improvement upon that which they could be expected to receive otherwise. I believe the industrial education not to be by any means what it should be. I believe you asked me whether I had traced mischievous consequences to the children in workhouse schools from the introduction of criminals; I said, that I believed such consequences had arisen, that though the workhouse schools, upon the whole, may be considered as rather satisfactory, yet that a very great deal of mischief was caused by even a very few cases of the introduction of young criminals; and when I said "satisfactory," I did not apply it very much to the industrial teaching.

3852. To what extent have you reason to believe that young persons discharged from workhouses become guilty of criminal offences which lead to imprisonment?—I should say that such cases are rare in general; they were more common some time ago. I attribute the change to two causes.

3853. Will you be good enough to state those causes?—The discipline and the management of the gaols and bridewells has been made more stringent, more severe, whereas formerly there were positive inducements, in the way of superior diet and less regular discipline, in many of the gaols and bridewells. The case is altered now. The other cause is, that the improved condition of the country has diminished the temptations to offences against property.

3854. Do you attribute that in those cases to the evil dispositions acquired in the workhouses?—Not generally.

3855. Are crimes, as far as you know, committed by persons who are unable to obtain relief, with the object of getting admission to gaols?—Such cases used to be reported rather frequently. Since the diminution in the number of workhouse inmates, and the greater accommodation at the disposal of the guardians, such cases have become much rarer.

3856. But what is the result to the ratepayers of the district, an electoral division

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division for instance, of destitute persons being confined in a gaol instead of remaining in a workhouse?—The result to the ratepayers generally of a county is an increase of charge, but the result to the particular ratepayers of the district is a diminution; because, if admitted to the workhouse, a person is charged in the particular electoral division in which he has been previously resident. When admitted to the gaol he becomes chargeable generally upon the county rates.

3857. Do you not believe that that fact has led to the committal of a very considerable number of persons to the gaols who ought to have been sent to the workhouses?—I fear that that is true to some extent. I take it that the motive of self-interest acts, though to some extent unconsciously, upon magistrates and other persons; and that there is a temptation to send persons guilty of very trifling offences to gaol, who, in point of fact, are merely destitute and not criminal.

3858. Has any mode of meeting that evil occurred to your mind?—I have for some time considered that it might be desirable, at least with respect to one class of destitute offenders, namely, those guilty of less serious crimes, that the cost of their maintenance in prison should be localized, instead of being charged upon the general rates; in other words, that it should be assimilated to the poor-law chargeability.

3859. *Chairman.*] Fall upon the same district?—Yes; perhaps I may add, that there is a difficulty which suggests itself, that such a provision might lead to a disinclination, on the part of those who would be subjected to the charge, to bring offenders to justice. To express quite accurately what I contemplate, I should have said that I would not make the entire charge a local one; I would continue to defray the establishment charges of the gaols, which much exceed those of the workhouses, from the county rates, but I would charge the cost of maintenance of prisoners of this class to the same district to which they would be chargeable if in the workhouse; I should desire, as far as possible, to assimilate the charge, and the mode of its distribution, so that there should be no feeling of self-interest leading people to prefer treating a person in a gaol to treating him in a workhouse, or *vice versâ*.

3860. Mr. *Monsell.*] Do you consider that such an arrangement as that which you suggest would act as a stringent motive upon the minds of the ratepayers in any district with regard to endeavouring to reform the juvenile criminals in that district; to preserve them from temptation to crime?—I should hope it might influence them.

3861. Do you consider it desirable to undertake a system of reformatory education for juvenile criminals in connexion with the workhouses in Ireland?—I think there are several serious objections to an attempt of that nature.

3862. Will you state, if you please, what those objections are?—In the first place, it is extremely difficult to secure uniformly and constantly, under all circumstances, perfect classification in workhouses; though the rules of the Commissioners are very stringent, and though our inspectors pay much attention, I believe, generally to the subject, yet circumstances will arise, from illness or change of officers, some local disturbances, illness breaking out in the workhouse, or other causes, which from time to time may lead to serious breaches of classification, to the mixture for instance of children with adults, or of classes which are generally kept separate; I apprehend you would run the serious risk of mixing these criminal classes sometimes with other classes. Another objection is, that I apprehend the treatment of juvenile criminals (which is a very delicate matter, and which should be followed out with strict attention to certain general principles) should not be committed to bodies so various in their constitution as Boards of Guardians. If the treatment were to be connected with workhouse management, it would necessarily be subjected to the local and changeable views of Boards of Guardians, and I should apprehend that serious interference with the principles upon which such system should be carried out might arise from placing them under the control of guardians.

3863. What mode of dealing with these classes has it occurred to you to recommend?—As far as I have considered it, I should think it desirable that they should be treated in completely separate institutions maintained for that exclusive purpose. The classes which I would desire to see treated would be juvenile criminals committed for certain offences, and persons guilty of serious breaches of discipline in workhouses, a class that it is at present difficult to manage in the workhouses, whom the guardians are tempted to send to gaol from not knowing

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in what other way to deal with them, and yet who are not, in the ordinary sense, confirmed criminals.

3864. In point of fact, are there a very considerable number of persons committed for workhouse offences to gaols?—A large number, both for offences committed in the workhouse, and for absconding with clothing and other union property.

3865. Be good enough to describe a little more minutely the sort of separate establishment that you would recommend to be adopted?—My answer to that question must be in some degree hazarded, for I have not considered the subject very fully or minutely. It occurs to me that if it were possible to obtain a grant of public money for the purpose, such fund might be administered by the Board of Commissioners of National Education. It occurs to me that they should be authorised to advance the funds for the purpose of building and establishing such institutions. I will suppose one or two in each province in the first place. That the system of the teaching should be subject to their inspection and supervision. But it occurs to me that it might not be desirable to deal with them as ordinary schools, and to appoint ordinary schoolmasters as the teachers and managers of such institutions.

3866. Bnt if such institutions were erected in any degree from the public money, they would be of course altogether under the superintendence of officials?—I should think it would not be desirable to tie down the administration of such a fund by very strict rules in the first place. It might happen, in certain parts of Ireland, that charitable and partially religious societies might be disposed to give up a considerable degree of time and of labour to the management of institutions of that nature, and that if they gave satisfactory guarantees that a public Board administering the funds should be authorised to give a considerable amount of assistance, obtaining of course, in return for any assistance, a certain amount of right of inspection and control.

3867. What is the system that at present prevails with regard to the erection of national schools, as to the contribution of private individuals and the contribution from the public funds?—I fear that I am not able to give very accurate information upon that subject. About two-thirds is the proportion. The National Board give about two-thirds of the cost, in return for which they have a right of enforcing strictly their rules, with reference to the religious education more particularly.

3868. Would you consider it advisable in these institutions to preserve the same rules as those which prevail in the ordinary schools with regard to the religious education?—I think that if the assistance of charitable bodies could be obtained, who would give that amount of especial attention to the treatment of this class,—a class who I should say requires the special influence of religious and moral teaching in a way that ordinary schools do not require,—that it might be desirable that the ordinary system of the National Board should be relaxed, and that they should become in fact exclusive establishments for the treatment of prisoners belonging to certain denominations.

3869. How would you propose that a destitute juvenile criminal should be subjected to the treatment of such an establishment?—My view would be, that whether admitted in the first place upon the committal by a magistrate, or by an order of guardians, in consequence of offences coming under their cognizance, supposing the child destitute, that the charge should be imposed upon the particular district upon which he would be charged if a pauper; that if the parents of the child were not destitute, unquestionably they should be made liable for its support.

3870. But is it not your opinion that, in the vast majority of instances, of such persons as you have been speaking, the parents are so destitute that they would not be able to contribute towards the support of the child?—I have no doubt that in Ireland that is the almost universal rule.

3871. Do you not conceive that in Ireland it is destitution chiefly that leads to the commission of juvenile crime?—I believe that, in the very great majority of cases, it does.

3872. Do you not believe that the direct predisposing cause to juvenile offences committed is actual want?—I should say yes; but not always the cause of the individual crime committed. I believe the direct predisposing cause of the commission of juvenile offences to be destitution; but I apprehend that when a habit of

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of crime has been contracted, that it does continue, irrespective of the pressure of actual want.

3873. But do you conceive that there are a very large number of instances in which the child takes up with crime as a regular profession, as a trade?—I believe that the answer I gave before will apply to that; it is so in certain districts, and I fear the numbers are increasing.

3874. And to what do you attribute the increase?—I attribute the increase partly to the fact of the tendency of evil habits to continue when once contracted, from whatever cause, and partly to the fact that a certain number of young persons are corrupted by the existence of a criminal class; that it is a growing evil in its own nature; that it is an evil that extends and grows unless it is put a stop to by suitable treatment.

3875. I do not quite understand you to say by what it is that you think these persons are now being brought under this course?—I believe that destitution in the first place is the cause; I believe that the famine and its consequences mainly gave rise to the existence of such a class; and that having come into existence, it has a tendency to increase, unless it is counteracted by suitable treatment.

3876. In point of fact, do you believe that it is counteracted by the existing arrangements for the education of pauper children in workhouses; do you consider that the present system of dealing with pauper children in workhouses in Ireland is satisfactory?—I do not think it is adequate; I think we ought to have the means of altogether preventing an evil which is commencing, and which is increasing, namely, the contamination arising from the admission of criminals to associate with the workhouse children, and I believe it to be insufficient in respect of the industrial education of the children.

3877. Will you state whether any progress has been made lately in the improvement of the workhouse education, particularly with respect to industrial training?—Yes.

3878. And with what result?—In the fifth annual report of our Board, which I believe is not yet in the hands of Honourable Members, but which will be in the course of a day or two, there are some paragraphs, and there are some reports, a few of them received from some of our inspectors, more especially with reference to the result of the establishment of industrial agricultural schools, under an Act especially for that purpose, namely, the 11 & 12 Vict. c. 25. Some information is given in the report, and further reports have been received since, which are not published in the annual report.

3879. Have you got any of those further reports?—I have all of them.

3880. Can you place them, or any abstract from them, before the Committee?—If the Committee pleases. I may mention that amongst these reports there is an account of one industrial agricultural school, which was established under circumstances of great difficulty, at Dangan, in the Union of Galway, at that time a very distressed union, and under the management of vice-guardians, which I think shows what may be effected by tolerably good management and suitable arrangements. There is a report included in the appendix to our annual report which gives a general account of it; and since that was received, we have obtained from the local inspector of the union a further account, giving a detailed statement of the number of boys who had gone out and obtained service from that establishment during the past year.

3881. Are these agricultural schools, of which you speak as being attached to the workhouses, attached to a considerable number of workhouses in Ireland at present?—No.

3882. Then what has been the great obstacle to establishing them?—I should say that the great obstacle to establishing them efficiently has been the considerable expense necessarily incurred for the efficient management of such establishments.

3883. Now how would you propose to obviate the difficulties of which you speak?—It appears to me that it is perhaps too much to expect that the guardians of unions in Ireland, where the pressure of local taxation is already very considerable, and is felt, in great part, as a new charge, should generally be ready to incur a very considerable additional expense, not with a view to immediate advantage, but with a view to the prospective advantages to be gained by the community at large, and also no doubt by each district, from the improved education of the pauper children. I have no doubt, at the same time, that sound policy would direct the guardians to do more than is already done. But I am also of opinion that the

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State is interested in giving them assistance and encouragement to the establishment of efficient schools for the industrial training of the children.

3884. You have spoken of industrial schools connected with workhouses, and you have spoken also of reformatory establishments for juvenile criminals as the principal means of meeting the difficulty in Ireland. The attention of this Committee has been called to the expediency of establishing feeding schools; do you consider that that is a system which would be suitable to the condition of Ireland?—Do you mean similar to schools which have been established in the town of Aberdeen?

3885. Yes.—I apprehend not suitable to Ireland.

3886. Why not?—In all measures for the treatment of the destitute class, it is necessary to have regard to the general condition of the poorest class of the community. Any system which would operate so as to give a very strong temptation or inducement to the poorer class to bring their children within its reach and within its scope might produce a very serious evil. The feeding schools are, in point of fact, a species of out-relief, not subject to any very material restrictions; to none, in fact, so far as the parents are concerned, and they are, therefore, I fear, not adapted to the present condition of most parts of Ireland. They might be established voluntarily in districts which seemed to demand them.

3887. How far would public opinion, do you think, go in Ireland with giving power to a magistrate to place a juvenile criminal in one of the reformatory establishments of which you have spoken, and to keep him there a sufficient time to give reasonable hope of his reformation?—I should not apprehend any difficulty from public opinion being averse to such a system.

3888. Then you would contemplate giving the power to the magistrate, where a juvenile criminal was brought before him, of placing that juvenile criminal in a reformatory establishment for a considerable number of years?—I should contemplate a considerable extension of the periods which are now permitted by law for the confinement of such offenders.

3889. But would even a considerable extension of the period allowed by law, do you think, be sufficient to establish reformation in the mind of the criminal?—I should think that a very large discretion ought to be vested in the Executive, with respect to the discharge of such persons. They should be detained until they reached a certain age, irrespective of the period for which imprisonment was awarded. They should be absolutely retained until they had either reached a certain age or a certain fitness to obtain employment out of the school, or also until the parents were able to show that they were prepared properly to take care of them.

3890. Would you give power to the magistrate of committing a juvenile criminal to such an establishment for an indefinite period when the criminal was brought before him, and it was only a first offence with which he was charged?—I have not fully considered the point; I should rather not wish to give an opinion upon it.

3891. *Chairman.*] I understood you to say, that you should advise giving the power to detain up to a certain age, taking that as an extreme limit, and that that period might be abridged if within that time the boy was reformed?—Yes, that is the view that occurs to me. I may perhaps, as bearing upon the point, state that I am informed that in the north-east of Ireland, in the district of Mr. Senior, our inspector, the demand for children educated in workhouses is much greater than the supply; that in point of fact, at the present time it is a rare thing to have a boy or girl above 12 years of age left in the workhouses in his district.

3892. Mr. *Monsell.*] Is that an agricultural district?—The statement applies both to agricultural unions and to the towns. The demand for young persons for service both for farms and for domestic purposes is very great. I have also returns, which he has received from union officers, furnished to our Board by Mr. Senior, of the actual names of the boys and girls who go out to service, and the reports that are obtained respecting them; and the general result is, that in Belfast not more than five per cent., and in the rural districts even a less proportion of them, lose their service either from positive misconduct or from idleness or neglect.

3893. *Chairman.*] I believe that Mr. Senior is a very able and experienced inspector?—Yes, he is.

3894. Mr. *Miles.*] How do you account for the difference that exists between the

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the children of the north and the children of the south; is there any difference in their education in the workhouses?—No, but there is in the demand for labour of all kinds in the district; wages are high; the population is scarcely adequate in point of fact to the demand.

3895. Could you state what difference there is in the education of the children; you say very little?—I should say that there has been, perhaps, more attention given in the north of Ireland, generally speaking; but it is also right to say, that in many of the southern unions much attention is given to education. I am informed by our inspectors that the real difficulty in many districts is the large number of persons seeking employment out of doors, the number who are out of workhouses.

3896. Mr. *Monsell.*] I think you stated that the same results as Mr. Senior described have taken place also in the neighbourhood of Dangan, in the county of Galway, where a school has been established?—Yes, to a great extent.

3897. Is not the one main difference between the north and some districts in the south and west of Ireland, that in the north they are able to have these industrial schools, and in the south, from the kind of property of the district, the guardians have not been able to erect them?—Possibly the means are greater than in the north, but I should not say that greater efforts have been made generally to establish industrial teaching in the north. From the numbers in the workhouses being much smaller in most northern unions, the officers are able to give a certain amount of attention to each individual child; and although a larger number are not taught to become tailors or shoemakers, or other trades, in the northern workhouses, the proportion of those so taught as compared with the whole number of boys in each workhouse is much greater. With reference to Dangan, our inspector, Mr. Hall, out of 65 who were sent out during the last year, has obtained information regarding 31, who were in the neighbourhood of Galway, and in every single instance they had turned out satisfactorily, and are now earning good wages. I have received further information of a similar character from Mr. Robinson, temporary inspector, respecting young persons who have gone from the workhouse to obtain employment, in the union of Ballinrobe.

3898. That is a very distressed union in the county of Mayo, is it not?—It is one of the unions that suffered most severely at the time of the famine; in that union a considerable number, about 200 young women and about 100 young men, left the workhouse, and obtained employment during the last year. These persons had been from one to six years in the workhouse. Of those, some 30 or 40, who had obtained employment in the immediate neighbourhood of the town, were all going on well; the remainder had procured employment elsewhere. Out of 300 who had been discharged, not more than 30 had since returned to the workhouses and obtained admittance again. Of the boys who had been taught trades, 16 tailors, 9 bakers, and 1 shoemaker were discharged, and all obtained employment, excepting three bakers. In the Union of Westport, which was also, and is still a very distressed union, one that has been receiving assistance from the rate-in-aid, it is stated that during the last nine months, about 60 young women and 20 young men have been taken out of the workhouse as servants; 40 by the nuns of the convent of the town of Westport, who procured situations for them.

3899. Did the power to procure situations for them arise from their having received a good industrial training in the workhouse?—I presume that they were to some extent fitted to act as domestic servants among the middle classes.

3900. You have mentioned to the Committee the enormous number of destitute children that are now in the workhouses of Ireland, and you have stated also that in Ireland it is generally destitution that leads to crime; do you in point of fact believe that, generally speaking, in the unions of Ireland, there is a system of instruction or education given to the children which will fit them when they leave the workhouse to earn their own livelihood?—It is perhaps difficult to answer the question generally. I should say that it would not be correct to say that the education given was universally, or even very generally, sufficient to fit the children hereafter to earn their own livelihood.

3901. Are there not, in fact, in a great number of the largest workhouses of Ireland, enormous numbers of these children crowded together with insufficient school accommodation, without a sufficient number of masters to look after them, and making, generally speaking, no sort of progress towards acquiring any knowledge which may enable them afterwards to earn their livelihood?—That description

description strikes me as rather strong, but it is true to a considerable extent, particularly in the larger workhouses, where I think the arrangements admit of very considerable improvement.

3902. *Chairman.*] I believe you are a gentleman of the bar by profession?—I am a barrister by profession.

3903. And you are, I believe, a son of Mr. Justice Ball, one of Her Majesty's Judges in Ireland?—I am.

3904. You have considered the subject of enforcing the liability on the part of parents, where they could do so, to contribute towards the support of their children whilst in these reformatory institutions; how would you propose to enforce that liability; what suggestion would you make to the Committee upon that subject?—Possibly the existing state of the law in Ireland is inadequate. In practice, the only mode of enforcing the liability of parents is by proceeding against them for the criminal offence of desertion. It has occurred to me—I have not fully considered the answer—that it would be desirable to enable the guardians to have a civil remedy, to proceed by civil bill as a debt against the parents or other persons who were legally liable for the support of the children.

3905. And I suppose your civil-law process is a pretty efficacious one, is it not; does it end in a process against the person or goods?—Yes.

3906. Then possibly you would suggest also that there might be an alternative proceeding to be enforced by magistrates, by a summary proceeding like that which you have just now referred to in the case of parents deserting their children?—Yes; I do not see any objection to it; it has not occurred to me.

3907. With regard to the power of detention, I think what you suggest is, that there should be some legislative enactment which should give a judge or magistrate the power of ordering the detention in an institution of this kind up to a certain age, and that period to be liable to be shortened upon proof that the young person is reformed?—Yes.

3908. Something of that nature?—Something of that nature.

3909. Mr. *Miles.*] I understood you to state that there are 80,000 children under 15 years of age in Ireland?—Yes; that includes infants.

3910. And that a vast number of these have been criminals?—I did not say a vast number. In certain parts of Ireland I believe a considerable number to have been, but not generally throughout Ireland.

3911. How have you come to that conclusion?—Mainly from the information received either through the inspectors who are acting under our Board, or from other persons connected with the different districts of Ireland, with whom I am in official communication.

3912. By consulting your criminal tables, you would find out in these districts to which you have particularly referred the number of persons of between the age of seven and fifteen that have been convicted, could you not?—The Poor-law Department has no materials for such a return. I put a similar question to the inspectors-general of prisons, and I was told that they could not immediately furnish any return of that nature.

3913. As far as the great number of young people in workhouses goes, is it not the fact in Ireland that a great number of able-bodied men leave their families chargeable upon the parish, emigrate, and after remaining a certain time in America, send back money to enable their families to follow them?—There are a large number of cases of that kind. I have a statement showing the number of children under 15 who have been assisted to emigrate by the guardians of different unions, of whom a large proportion I should say had received a portion of the actual cost of transhipment across the Atlantic. The numbers are, from the 1st of August 1849 to the 30th of April 1850, 270; from the 1st of May 1850 to the 31st of March 1851, 517; and for the year ending the 31st of March 1852, 952 children under 15. These were assisted to emigrate by the guardians; very often a small sum being provided for clothing, to those whose passage had been paid from other sources.

3914. And these children had been consigned to the workhouses in Ireland owing to their fathers having left them to seek employment elsewhere?—No doubt.

3915. So that these swell considerably the number of persons under 15 now in the workhouses?—Yes; they do form a considerable proportion.

3916. You mentioned, I think, the agricultural schools which are now adopted in some parts of Ireland: I did not understand, as you went on, that you stated distinctly the principles upon which those were formed; would you be kind enough

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enough to state what description of labour the children there perform, and, as far as possible, their division of time during the day?—Perhaps it would be convenient that I should, in the first place, state how these have come into existence. The year after the passing of the Poor Law Extension Act the subject was pressed in Parliament, and a Bill was introduced authorising the guardians of unions in Ireland to take land to the extent of 25 acres, for the exclusive purpose of the education of young persons under 16 years of age.

3917. *Chairman.*] What is the Statute?—The 11 & 12 Vict. c. 25; the same Act, extending in some degree the provisions of the Poor Law Extension Act, enabled the guardians of two or three unions to unite for the purpose of establishing such schools; the latter provision, enabling the guardians of different unions to join for that purpose, has not as yet been carried into effect in any instance; but in a considerable number of unions, land has been taken, usually approaching the limit fixed in the Act, for the purpose of establishing industrial instruction. It is right to say, however, that there has been a very great disposition amongst the guardians in many parts of Ireland to look to these establishments as a source of immediate profit, and that in spite of the interference of the Commissioners, they very frequently do succeed in employing adults, thinking that in that way they will obtain greater profit than by employing the children. Usually, the guardians who take an active part in the management of these institutions are anxious to be able to show at the end of the year a balance sheet, with a profit attached to each establishment. From these causes, it has happened that in a small number of cases only can it be said that the intentions of the State have been thoroughly carried into effect. The precise regulations for fixing the period during which the children are to be employed are not uniform: we have thought it more desirable to leave a certain degree of discretion to the immediate managers of these schools. I think it is the opinion of my colleagues (I will state it, however, as my own) that the efficiency of establishments of this nature depends upon a careful and continued inspection, accompanied by the carrying out of sound principles upon the part of those who are employed on the spot; it usually owes its origin to the activity of some benevolent guardians, and it has not been thought desirable, where the law did not seem to require it, unnecessarily to hamper them with respect to the details of management. I gave an answer before, stating that I conceived that some portion of the outlay, equivalent to the difference between the cost of an efficient school establishment and an ordinary workhouse establishment, might be suitably advanced from the public funds; I should contemplate that if public funds were applied in this manner a greater degree of control over the working of such institutions should be obtained, the right, for instance, of nominating masters, instead of leaving them to local election, I should think desirable.

3918. Mr. *Miles.*] As far as your experience has gone, then, are you enabled to compare the children who are brought up in the workhouses with those who have been brought up in these agricultural schools, and to state decidedly that the status of the former is considerably better than the latter?—As far as experience has gone, I should say, decidedly better in the separate schools. The great majority of them are of very recent establishment, and therefore it is perhaps too soon to speak confidently; but as far as experience goes, decided advantages have been obtained, I should say.

3919. There has been a failure in some cases through not carrying out the provisions of the Act; adult labourers have been employed instead of the children, for the purpose of making a better balance sheet?—Yes.

3919.* Would you recommend the general adoption of such schools?—I should recommend a certain amount of assistance to be given to the guardians where they are disposed to adopt them, and I should recommend a more stringent system of control than that which we are at present able to enforce.

3920. I think you stated that the reason that a great number of children were sent to the gaols was to get them off from the workhouses; that they have been sent for very trifling offences: may I ask you the difference between the charge per head per week in the workhouses, taking the generality of workhouses in Ireland, and that per week in gaols; and at the same time whether the nutriment in gaols is not very superior to that which a poor person receives in a workhouse?—If I may answer the last portion of the question first, I would say that by a recent change in the management of gaols the dietary for prisoners sentenced to certain periods of imprisonment is very nearly assimilated to the workhouse dietary, and

and in most instances rather below it. For prisoners sentenced to longer periods the dietary is rather above, more particularly a larger proportion of white bread and new milk is given than is usually given in dietary workhouses.

3921. Has the effect of that been to discontinue the practice, which you state had taken place in Ireland, of sending these children for certain terms of imprisonment to prison rather than to the workhouse?—No; the change has operated very much in the way of preventing the reckless and criminal class from seeking admission to gaol, by committing offences, rather than the workhouse. I did not mean to assert the existence of a general practice on the part of local persons, magistrates or guardians, to send by their Act young persons to gaol instead of sending them to the workhouse. As far as that has existed at all, it is due rather to the difference created by the law of chargeability; if sent to the workhouse, they become chargeable to the particular electoral division in which they have previously resided; or, in other words, to a district of much smaller area where the cost of maintenance is felt by the persons resident within that smaller area. If sent to the gaol they become chargeable generally to the county rates.

3922. Do you think that the erection and maintenance of penal schools for the reformation of criminal juveniles will have a good effect in Ireland, where industrial training takes place?—Most decidedly. I look upon that as the most efficient mode of dealing with that class.

3923. How would you conduct those schools; would you conduct them by present inspection, or would you allow the inspection of Government, and call in the inhabitants of each locality as a committee of management?—I should not be in favour of local committees of management. What I would contemplate (I do not profess to give a matured opinion) would be placing them under the control of the Board of National Education. I am not prepared to say how far they would be ready to undertake it; but it appears to me that they are the persons most competent to give the general direction to such institutions.

3924. Mr. *Adderley*.] Had you any model in your eye when you talked of general schools; is there anything similar to what you wish for, either in this country or in others?—Some experience has been gained on the Continent. I am not prepared to say that I know of any establishment that would serve precisely as a model for what schools are to be in Ireland, because there may be a good many circumstances which should be taken into account. I may perhaps explain an answer that I gave before, with reference to the permission which I should be disposed to accord to those who administered a grant for this purpose, to depart from the principle which has been adopted with respect to the ordinary schools for the poorer classes in Ireland. In reformatory schools for juvenile criminals the chief curative means must be sought for in religious influences, and I think that a body directing the management of such institutions should be enabled to avail themselves of the voluntary services of charitable and religious persons of each persuasion, even though the result would be to confine such institutions to certain religious denominations; the circumstances of Ireland are such, that in Belfast, for instance, you might have a body of Presbyterians, charitable persons, who would be ready to undertake the actual management of young criminals of their own persuasion in an establishment of this kind, and it appears to me not inconsistent with the educational purposes for which grants have been given, that assistance should be given, subject to the inspection of the Board of Education. Similarly, in Connaught and in Munster, there is no doubt that charitable bodies would be found amongst the Roman-catholics, who would undertake the management of a school of this nature. It appears to me desirable to leave a large discretion, provided that certain general principles were carefully adhered to, with respect to the administration of any grant for that purpose.

3925. In order to carry out such a system as you suggest, does any alteration of the law suggest itself to your mind as necessary, besides those to which you have already alluded?—It does not occur to me that I could add anything to what I have already desirable for that purpose. I may say, in connexion with this subject, that it appears to me that it might be desirable, if the law were to recognise and regulate in some degree the power of guardians to give an outfit to young persons who go out to service (this, perhaps, applies rather to pauper than criminal education, but a similar provision should be extended to the institutions which I have contemplated), it appears to me that the persons or masters to whom they go should incur a certain liability for the proper treatment of the children.

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children. A system in some degree voluntary has existed in the north of Ireland, in the district of Mr. Senior, a system introduced by him, in which the guardians do make a payment out of the rates to provide suitable clothing for children going into service; the guardians lend this clothing to children going out; they obtain from the child a receipt for the clothing, and from the master a certain undertaking that he will take charge of the child; the subject is one in respect to which we have not thought it proper to interfere much, because at present the legal right to make such a payment is rather doubtful. I believe that this undertaking has no legal effect, but it is recognised as a moral tie, and is found to have good effects. Perhaps something of the kind might be extended and legalized.

3926. You propose in the case of a criminal child that the magistrate should have the power to commit to one of these schools, and in the case of a destitute child becoming chargeable that he should also be sent to one of these schools?—Destitute children guilty of any serious misconduct in the workhouse should be sent to these reformatory schools.

3927. And with respect to the ordinary class of destitute?—I conceive that the inmates of the penal reformatory school should be persons either committed by the magistrates for criminal offences, or sent by the guardians for refractory conduct or serious offences against the workhouse discipline.

3928. I do not think you have stated for what length of time you would propose these commitments to school?—Perhaps it would be difficult to assign a precise limit, but it appears to me that up to the age of 14 or 15 it is not desirable in general that children who are known to have already contracted at some period of their lives a vicious disposition, and for whom there is no evidence of means of support, should be thrown upon the public, merely because of their own fancy or caprice, and therefore I think that there ought to be a power of retaining them until about the age I have indicated.

3929. Even for instance if a child were eight years old, you would give power of keeping it till it had reached 15; that would be seven years?—Yes, I should do so, unless it might happen that means of suitably providing for the child might arise in the meantime.

3930. You would be content with detaining, and that compulsorily, the child, until there was an opportunity of providing for the child's obtaining his own livelihood?—I should.

3931. Now you mentioned, as a sort of rough calculation, 83,000 children in workhouses in Ireland?—Yes.

3932. Are you aware of the number of children of the same age who are in prison?—The reports of the inspectors-general do not give that number, though I believe they are able to furnish it.

3933. You do not know roughly about what number, whether it is anything like a similar number?—Some light perhaps is thrown upon it by some of the statements in their report as to the number of cases of vagrancy.

3934. *Chairman.*] You have no knowledge of your own upon the subject?—No.

3935. Mr. *Adderley.*] With regard to these classes, 83,000 in workhouses, and you do not know how many in prison, penal schools would take a proportion of both of those classes, would they not?—A very small proportion of the workhouse children.

3936. All the criminal classes of children I understood, except those guilty of the worst kinds of crime, whom you would still send to prison?—I apprehend that there might be young persons whom it might not be desirable to admit into these establishments.

3937. When you talked of offences, is there any class of offences which you would exclude as of too aggravated a character to treat by sending to school?—I fear I could give no answer that would be sufficiently complete.

3938. But certainly the more aggravated offences you would consider too serious to be treated in that manner?—There may be a small number of a very aggravated nature; it might not be considerable.

3939. Then what would become of the remainder of the destitute children if this system were to be introduced?—I apprehend that the great mass of the destitute children must be educated in school, either in the workhouses, as is generally the case at present, or in part in separate establishments; the great mass of destitute children must be so educated.

3940. What are the conditions of admission into the national schools in Ireland; what payment is made?—I am afraid I cannot state that.

3941. *Chairman.*]

3941. *Chairman.*] Is that a question which you are able to answer of your own knowledge?—No.

3942. Mr. *Adderley.*] I want to know where the remaining destitute children could be disposed of; I want to know whether the plan which you suggest would necessitate three sets of schools, the penal school, the workhouse school, and the national school?—The national schools are intended, I take it, for the children of independent labourers and other persons of the poor classes in Ireland. The workhouse schools are exclusively confined to the destitute class, who are supported at the public cost, and they already exist for the most part immediately under the same roof of the workhouse; these two classes already exist.

3943. Have you considered the difficulties attendant upon so many classes of schools being kept together, in which, in many instances, there would be no distinct line of demarcation between the character and the circumstances of the children sent to each?—I do not apprehend much difficulty from that.

3944. I conclude, when you talk of a process of recovering the expenses from the parents, that you would say that a cheap and summary process was the only practicable one?—Certainly.

3945. And in most cases, do you suppose that parents would have the means of paying the amount?—From all my information, I believe that the number of persons who allow or encourage their children to become criminals, is very small indeed. I believe that in certain districts, where the guardians have adopted a lax system of administration, the parents do send their children into the workhouses, and that they are frequently admitted there as orphans, though they are not really orphans. Such instances occur, but are not very numerous.

3946. Mr. *Monsell.*] With respect to the distinction between the classes that would go into the national schools, and into the industrial schools, is it not a fact that the great mass of the 83,000 children, who would be the subjects for the industrial school, are children who really have no parents to teach them, and nobody to look after them at all?—A very large proportion.

3947. Therefore the distinction will be between children who had nobody to look after them at home, and nobody to train them at home, and those who had parents, under whose roof they would learn those habits of industry which would fit them afterwards to earn their bread?—In the last case, you speak of the national schools?

3948. Yes.—Oh, yes.

3949. You have been asked a question upon that subject; that would be the distinction which you would draw between the two classes, would it not?—Yes; it appears to me that the two classes separate themselves. All the education which the guardians have occasion to give is to the persons who are already lodged at the expense of the ratepayers; the other class are the self-supporting class, who live out of the workhouses.

3950. Mr. *Miles.*] Then, as I understand your evidence, it goes to this, that in the condition in which Ireland is, you at present have two kinds of schools, namely, your workhouse schools, which I think you would detach a small distance away from the workhouse, and you would then have your national schools; and to these two classes of schools, instead of a prolonged imprisonment of juvenile offenders, you would add a penal and reformatory school?—Exactly.

Lieutenant-Colonel *Jebb*, R.E. called in; and Examined.

3951. *Chairman.*] I BELIEVE you are Surveyor-general of Prisons, and Chairman of the Directors of Convict Prisons?—Yes.

3952. Were you appointed one of the visitors for the management of Parkhurst on its first opening, about 1837?—I was, in conjunction with Lord Yarborough, the Speaker of the House of Commons, and Mr. Crawford.

3953. You have still the general superintendence of that management?—As chairman of directors of convict prisons, I have; Captain O'Brien is charged with the immediate superintendence of it.

3954. We have understood that the system of discipline there has of late undergone some considerable changes?—Yes, they were the result of a memorandum which I submitted to Sir George Grey.

3955. What is the date of that memorandum?—The date of it is November 1849.

3956. Perhaps

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3956. Perhaps you can hand in a copy of that memorandum?—I will do so; this is a copy of it.

MEMORANDUM as to DISCIPLINE of PARKHURST PRISON.

Memorandum on proposed alterations at Parkhurst.

THE discipline now in force at Parkhurst was arranged at a time when there was a class of older boys at Millbank, and an institution at Point Puer in Van Diemen's Land, to which all who misconducted themselves were immediately sent.

Both those means of carrying out a probationary period of discipline for juvenile offenders being abandoned, some boys will be detained at Parkhurst for longer periods than has been usual, and the standard of age will be somewhat raised.

In order to meet these changes, and render Parkhurst a useful auxiliary in the present plan of convict management, I conceive that some changes, which I have heretofore advocated, are now imperatively called for.

The immediate objects which I have in view are the following:—

1st. The introduction of more labour and industrial training into the system.

2d. That some incentives to industry and good conduct should be placed before the boys, in a "Notice" corresponding to that at Portland.

3d. That badges for good conduct, industry, and attainments in school should be awarded; and that there should be a classification, based upon the badges obtained, to which certain small privileges should be accorded.

With regard to the first point, I am decidedly of opinion that there is more school instruction, and far less labour, than is necessary or useful. I conceive that when a boy has attained a certain point in school, which has insured him an amount of information suitable to his station in life, and such as will facilitate his future progress in learning, mere school instruction should, in a measure, give place to labour and industrial training, accompanied by religious and moral instruction only.

I am aware that, in attempting to lay down the proper proportion of these elements of training, I am entering upon a subject concerning which there exists a great variety of opinion, and I am fully sensible of my incompetency to analyse or discuss the abstract question.

In taking a practical view, however, of the objects of the Government, the class of boys at Parkhurst, their destination to and position in the colonies to which they may be sent with tickets of leave, the result of my experience is, that, when attainments in the ordinary branches of education are pushed beyond the point which gives the boys facilities in reading and writing, and competency in arithmetic, the further cultivation of their minds in higher branches is calculated to make them undervalue the humble employments which are the only ones, generally, open to them on arrival in the colonies, and look for more refined and less laborious occupations. Hence they become discontented, and do not give that satisfaction to their masters which they might otherwise do.

In such cases (and I believe them to be numerous), the school instruction, which has been imparted at a great cost, becomes a bar to their success, instead of promoting it.

Secondly, there is a great want of inducement to industry; and the boys have not the same clear view of their prospects, and of the influence their conduct and industry will have on their future fate, as is now placed before the men at Pentonville and Portland.

Thirdly, with regard to the classification and the privileges attaching to it, I have found this principle of a gradation of punishment to work so well in the military prisons, that I have no doubt it would prove a powerful incentive to good conduct.

Fourthly, it has appeared to be an object, in connexion with these proposed changes, to be enabled to credit each prisoner with some small gratuity, to be transmitted to the governor of the colony for his future benefit.

I have fully communicated my views to Captain O'Brien, who, after conferring with the governor and chaplain on the necessary details, especially those relating to classification, has drawn up the annexed rules, which I submit for your consideration and approval.

3957. Have the principles of discipline which you there point out been carried into effect at Parkhurst?—They have; the regulations with respect to the discipline of Parkhurst are laid down and approved by the Secretary of State, and perhaps they might be best judged of by the rules applicable to the governor and chaplain, and officers generally.

3958. You could hand in those?—I could hand in those also, and they will show that the moral and religious training of the prisoners, and kind and considerate treatment, are the bases upon which the whole system rests.

[*The Witness delivered in the same, which is as follows:*]

THE annexed RULES contain Directions for various Officers.

For Governor.

Conduct towards prisoners.

He shall exercise his authority with firmness, temper, and humanity; abstain from all irritating language, and not strike a prisoner. He shall bear in mind that the object of his duties, and of those of all officers and servants under his direction, is not only to give full effect to the sentence awarded to the convicts during this reformatory period of confinement, but also to instil into their minds sound moral and religious principles, and induce

induce in them practical habits of industry, regularity, and good conduct. With this view, while enforcing strict observance of the rules regarding labour and discipline, the governor will be careful to encourage every effort at amendment on the part of the prisoners, and will require all officers and servants of the prison in their several capacities to do the same.

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For Chaplain.

He shall endeavour, by all means in his power, and particularly by encouraging their confidence, to obtain an intimate knowledge of the character and disposition of the prisoners. He is expected to allot a considerable portion of his time to visiting, admonishing, and instructing the prisoners.

To obtain a knowledge of the prisoners' characters.

For Schoolmasters.

They shall consider it a chief part of their duty to promote, as far as lies in their power, the moral and religious improvement and instruction of the prisoners.

To promote the religious improvement of prisoners.

For Officers generally.

It is the duty of all officers to treat the prisoners with kindness and humanity, and to listen patiently to, and report, their complaints or grievances, being firm, at the same time, in maintaining order and discipline, and enforcing complete observance of the rules and regulations of the establishmeut.

Treatment of prisoners.

The great object of reclaiming the criminal should always be kept in view by every officer in the prison; and they should strive to acquire a moral influence over the prisoners, by performing their duties conscientiously, but without harshness. They should especially try to raise the prisoners' minds to a proper feeling of moral obligation by the example of their own uniform regard to truth and integrity, even in the smallest matters. Such conduct will, in most cases, excite the respect and confidence of prisoners, and will make the duties of the officers more satisfactory to themselves, and more useful to the public.

3959. If you were called upon to describe the general principle upon which the system of discipline at Parkhurst was now based, how would you describe it?—I should say that it was a close approximation to a strict industrial school; that would be, I think, the feature that would strike any gentleman who went to inspect it; I should be more afraid of its being considered less penal than its character ought to be, than that the penal features were stretched beyond what was proper for the class of boys who are placed there. It has been extremely difficult, considering that it was established for the industrial training of boys under sentence of transportation, to combine elements which are not in accordance with any method adapted for deterring children from crime, and which are more likely to attract than deter.

3960. It is still limited, is it not, to boys upon whom sentence of transportation has been passed?—Practically, it has been limited to those; but still there does exist the power of sending others there who have been sentenced to imprisonment.

3961. Do you concur in opinion with a former witness in stating, that in point of fact all the young persons in Parkhurst come originally from Millbank, being under sentence of transportation?—All.

3962. How long has it been confined exclusively to those who are under sentence of transportation?—For the last eight or nine years, I think; and the reason it was confined to boys under sentence of transportation arose partly from the difficulty of so satisfactorily disposing of the others in this country as we could of those who were sent out to the colonies under their sentences.

3963. Would you suggest that the former practice should be resorted to again of sending to Parkhurst those boys under sentence of imprisonment as well as those under sentence of transportation?—That would depend entirely upon the facilities which might exist for disposing of them at the expiration of the periods of discipline to which they might be subject.

3964. But under present circumstances you think it best to confine it to those under sentence of transportation?—Most certainly, upon the grounds which I have stated.

3965. What has been the general result of the change of discipline of Parkhurst, which you have described to the Committee as having taken place within late years?—I think the results have been very favourable, so far as I have observed them, and they are so reported by the governor and chaplain, and by Captain O'Brien. As regards punishments, which is one indication that may be referred to, I may state that in 1849 there were altogether 4,405 punishments; in 1850 there were 3,061; and in 1851, during the whole of which year these new regulations have been in force, there were only 1,080. I put in the draft report for 1851, which will give the Committee the latest information.

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3966. Was there the same number of inmates in the establishment during each of those periods?—Not exactly; in 1849 this refers to 518 prisoners, in 1850 to 510, and in 1851 to 490.

3967. Do you know anything of the results which have shown themselves after the boys have gone abroad; have you information upon that subject which you can lay before this Committee?—For five or six years past, we have received regular information from those boys who have been sent to Western Australia from Parkhurst; they have been there apprenticed, and a superintendent was appointed, who disposed of them, and looked after their welfare and interests.

3968. And is it from his reports that you judge?—I judge from his reports. He states in the following report, "The experiment of sending out boys and apprenticing them in the colonies has been attended with success in Western Australia."

3969. Are you reading from the report?—Yes.

3970. What is the date of it?—It is the report of 1849; but what will give a better view to the Committee of the good conduct of the Parkhurst boys in Western Australia, is the fact that the experience gained in the colony led to petitions being submitted to Lord Grey for forming a penal establishment in Western Australia, and affording them the advantage of convict labour?

3971. Petitions from whom?—Petitions from the inhabitants generally, at Perth, and different districts in Western Australia. In 1847, the superintendent who had the charge of the juvenile prisoners in Western Australia, states as follows: "In March, a large addition was made to the number of my charges by the arrival per 'Orient' of 51 lads from Parkhurst; they arrived in good health, and were all provided with suitable situations within three weeks of their landing, the greater number being sent into the country as farm servants. A further draft of a large number has been sent for, which will be, I have no doubt, as readily disposed of. During the year, 34 lads have completed the period stipulated for their apprenticeship, and have been discharged. All of them have readily obtained employment, some re-engaging with their former masters at wages varying between 30 *s.* and 2 *l.* a month, with board and lodging. Very few have, I believe, any intention of leaving this country, and most of those that will go away will probably only remove to the neighbouring colony of South Australia. Of the 14 lads paid off last year (1837), five have left; three are going to South Australia, one to sea, and one to America. It is the experience gained by the colonists of Western Australia of the value of such labour that has led to the present experiment of forming a penal establishment in the colony, with a view to furnish such supply as may be commensurate with the demand." That is in the year 1847. The petitions I referred to are in my fourth report.

3972. Have you any information of the same kind of a later date?—We have, and it is also favourable; the governor states that most of the boys have turned out well; that though some have proved refractory and intractable during their apprenticeship, on being released from those restrictions they have conducted themselves quite as well as any class of boys who come from any other portion of the community. That report is in the Parliamentary Papers presented by Lord Grey; and an extract will be found in the draft of the report for 1851, which I have submitted to the Committee.

3973. And do these reports continue to be favourable down to the present time?—That is the latest report we have received.

3974. About when was that report received, if you do not remember the exact date?—I think that report was presented to Parliament in the month of August last year.

3975. Your attention has been very much turned, has it not, to the subject of treatment of juvenile offenders?—Yes, necessarily.

3976. Were you consulted upon that subject by Sir James Graham, in 1845?—Some correspondence, and several communications took place upon the subject of an improved method of treating juvenile offenders about that period (1844 and 1845). New prisons were about to be commenced at Birmingham, Liverpool, Manchester, Salford, Leeds, and also a considerable addition to that of Stafford; and the question was raised whether, if a different mode of dealing with juvenile offenders were adopted, the juvenile wards in the different prisons might not be dispensed with, and a saving in construction arise, which would cover the outlay necessary of erecting a prison for juveniles, under the District Prisons Bill; and

with that view the Manchester plans did not receive the sanction of Sir James Graham until the provision for juveniles was omitted.

3977. From that time, namely, 1845, your attention has been drawn officially to the subject of juvenile offenders, has it not?—Not more so than it was at the time; I have constantly had the subject before my mind.

3978. I mean that you have constantly had the subject before you since that time?—Yes, constantly.

3979. Can you suggest what you consider to be improvements in the present mode of treatment of juvenile offenders; I believe you have turned your attention to the subject of bringing before this Committee suggestions for improving the treatment of juvenile offenders?—In my second, third, and fourth reports I have referred to the subject.

3980. Be so good as to state the first suggestion which you have to offer to the Committee?—The first suggestion which I would offer is, the formation of district prisons expressly for juvenile offenders, such as were contemplated by Sir James Graham at the period to which I have referred: my view is, that ordinary prisons are inappropriate for the object either of penal or reformatory discipline; that they should only be used for a very short period of solitary confinement under summary convictions. If that mode of treatment, accompanied by whipping, did not appear to have had satisfactory effect upon the boy, magistrates should, I think, have extended powers of committing for very long periods, more with a view to reclamation and education than for mere punishment. I still feel the importance of keeping the criminal distinct from the pauper, and consider that prisons formed something on the plan of Parkhurst would provide not only for due punishment of crime, but also for the reformation of the individual.

3981. Would you add anything upon that suggestion; have you anything further to state to the Committee with respect to this first point?—As regards the formation of district prisons, it appears to me that the course of events since 1844 has not only strengthened the necessity for forming these prisons, but has also given facilities for it. The recommendations of the Committee of the House of Commons, which sat in 1850, strongly urge that district prisons should be formed for adults, and that those prisons should be erected and maintained at the cost of Government. If prisons of that description were established there would be great facilities for adding to them juvenile wards, with a suitable discipline; or if it were found inconvenient to place adults and juveniles in the same establishment, it would be very practicable to erect similar prisons in suitable situations expressly for juveniles.

3982. What would be the chief features of an establishment of that kind?—I should have them precisely on the plan of Parkhurst. I should be inclined to make the discipline more stringent and severe, if it were possible, on this account: that boys who are sent to Parkhurst are under sentence of transportation; and though practically it is no great punishment, their being sent out of the country, it still has that appearance out of doors; they are taken away from their friends and home, and in so far it may have a deterrent effect. With respect to establishments of this kind, the fear is, that they may be regarded by the public in the light of an advantage, instead of affording means of punishment for crime.

3983. Have you now completed what you wished to say upon the subject of this first suggestion that you were making to the Committee?—I am not aware that I can add anything to it; it simply resolves itself into the want of establishments devoted to juvenile criminals exclusively, that they should be generally upon the plan of Parkhurst, and that the employment should be that of industrial training upon the land, combined with moral and religious instruction.

3984. Should it assume the character of a prison?—It should have the character of a prison certainly.

3985. Then would you have the whole of the treatment of a juvenile offender, with a view to his reformation, carried on in that establishment?—Yes.

3986. And a second place to send him to after he had been any time there?——I think that it would be of great importance, if not a measure of absolute necessity.

3987. To have some second place?—Yes.

3988. What is your view upon that subject?—It is impossible to take a simple view of juvenile criminals alone; a more comprehensive view of the whole question is required, which brings us to the consideration of what should be done with the class from which these juveniles come. It seems to me that the classes which

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are below those which are reached by the national schools have a very great claim upon the Government for assistance. I think that they have far greater claims than those who are in more independent circumstances, and are more able to take care of their children, and educate them. It is from this neglected class of children that so many juvenile criminals spring, and that the gaols are eventually filled with adult criminals.

3989. What measures would you recommend to be taken in the way of legislation with a view of removing that evil?—So small a distinction can be made between any schools that may be formed for juveniles, that I think the smaller the number of institutions the better, and the more simple would be the working of them. Leaving the national school class as they now stand, we come to the class immediately below them; I should take the schools that are now attached to union-houses, the ragged schools, and all the benevolent institutions which have similar objects of providing for destitute children, and extend to them the liberal aid of Government to carry on their proceedings. The course that is obviously required has been sufficiently indicated by private efforts, but it is impossible for private efforts to cope with the evil as it now stands. They might do so effectually with adequate assistance.

3990. Do you think that Government aid should combine with private efforts?—I think so, and it has always occurred to me that if more were spent upon prevention and less upon punishment, that the two accounts would be the complement, the one of the other; in fact, that whatever was spent in prevention, would be saved in the expenses of punishment.

3991. Should you recommend Government inspectors to be appointed?—I think the penal establishments should be exclusively under Government; but with regard to the schools, I think that if the Government inspection were confined to the amount now exercised over national schools by the Committee of the Privy Council, the efforts of local authorities would be most valuable in the direction of them, and the management might be advantageously left in their hands.

3992. Supposing a boy now convicted of a transportable offence, how would you dispose of him under the system you suggest; you would first send him to this institution in the shape of Parkhurst?—Yes, if he were sentenced to a long term of imprisonment, it would take the place of transportation. A boy would not be branded for life, but he would be sentenced to a long period of imprisonment, more for education than anything else. After a certain period, the original sentence of the court should be commuted, just as the sentence of transportation now is when a boy is sent to the Philanthropic, the condition being that he should go to the pauper school. If a boy has gone through the punishment due to his offence, I do not see that there would be any objection then to mixing him with the class from which he has come; if he went back into his parish he would have the opportunity of going to the national school or mixing in the society that he might fall in with, I do not therefore think, that after having gone through the penal school there would be any objection in his being sent to the pauper school.

3993. Would you have the sentence passed as at present, with a power to the Secretary of State to interfere, and to commute that sentence for a certain length of imprisonment in this establishment, like Parkhurst, to a further period of detention in one of the reformatory establishments?—I would; the boys then would be brought forward as at Parkhurst, on the recommendation of those who were aware of the character they had maintained, and of the state in which they were, both morally and physically, and those recommendations would be laid before the Secretary of State for approval.

3994. With regard to penal establishments like Parkhurst; you say that those should be exclusively under Government?—That is my opinion.

3995. With regard to reformatory schools, you say that they should be maintained by a combination of private enterprise and Government aid?—The assistance of the Government and the interference of the Government should, I think, be extended to them in the same way as the Committee of Council on Education extends assistance to the schools for the class immediately above the destitute class.

3996. The system of treatment in the first of these establishments, namely, that like Parkhurst, I suppose you would assimilate to that which is now adopted at Parkhurst?—As nearly as possible; I consider that a period of separate confinement would be an essential element; it is found to work extremely well on a large scale

scale with respect to adults who are placed in separate confinement for 12 months, before they are brought into association on public works. On a small scale it is applied in Parkhurst; all the boys, instead of being twelve months, pass about four months in separation; from that they are drafted off into association, in which there are different gradations before they are brought fully into the field and worked on the land.

3997. The Committee have had from the governor of Parkhurst a description of the system which is adopted there; in your judgment is that system now susceptible of improvement; are there any suggestions that you have to make for the improvement of that system?—No, I could not make any suggestions.

3998. Then in a penal institution to which the boys would go you would have a system like that at Parkhust?—As nearly as possible, but more stringent, for the reasons already stated.

3999. Now will you proceed to the second, the reformatory school, or what would you call it?—A pauper school.

4000. We will call it a reformatory institution, if you please; what kind of discipline would you have established there?—I think it should be a milder kind of discipline than that which exists in the penal establishment, but it would be extremely difficult to make any real distinction between the two; habits of order and regularity, and cleanliness, must be enforced in a school, as well as a prison; the character of the boys is raised by enforcing it.

4001. You would think industrial training of great importance there?—Of the greatest importance; I should not push the attainments of the boys to any great length; I should be much more disposed to adhere to industrial training and moral and religious instruction; we have found great inconvenience at Parkhurst from pushing the attainments of the boys to a point beyond what was necessary; to enable them to understand the ordinary rules of arithmetic, and to read and write with facility. It was found that, instead of taking to employments which were open to them in the colonies, they were looking out for situations as clerks and schoolmasters, and getting quite out of their sphere; it was positively a disadvantage to them, and it was that which led me to recommend a diminution in the school instruction, and an increase in the industrial training.

4002. Then, in your judgment, that change has been attended with beneficial results at Parkhurst?—There is no question about it.

4003. Do you think that with a view to a probationary term, a period of separate confinement is necessary for the boys?—Yes; I retain that opinion.

4004. Have you suggestions to make as to the mode of disposing of the boys when they are discharged finally from establishments of this kind?—The disposal of boys from these institutions will be by far the most difficult point to be accomplished. The efforts of Mr. Wright at Manchester, and the experience gained in releasing adult prisoners sometimes in England, are favourable to the conclusion that a certain number might be disposed of advantageously here, if there were any suitable agency for giving them help when the period of their discharge arrived. This measure has been recognised in France as a most essential element, in conjunction with prison discipline; because it is of no use to instruct a boy, and take care of him for years, if he is turned back into circumstances where he is unable to obtain employment, and where he is perhaps surrounded by his old associates. Emigration is the main opening to which you would have to trust. If it were resorted to on a sufficient scale, it would meet the case fully, and be of advantage to all the parties concerned.

4005. Is there any other suggestion, besides that as to emigration, which you think might be made, and which it would be in the power of the Legislature to carry out?—I cannot suggest anything better than emigration; it would be the main element, I think, in the disposal of the boys; a certain number might be got rid of if people would take the trouble to find places for them.

4006. That is, by voluntary efforts, like those of Mr. Wright of Manchester?—Yes; the efforts, whether of societies or individuals, should be voluntary.

4007. Are you of opinion that any government or public agency could be constituted for that purpose?—I should fear that with regard to emigration it would be of doubtful utility; more might be done by quiet assistance, and affording facilities for letting the stream go off by emigration. I can conceive objections to emigration from a prison, but not from a school.

4008. Has your attention been turned to that plan which is adopted at Aber-

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deen, of taking up boys and sending them to places to school there?—Yes, I go to Aberdeen every year, and I always make inquiries as to the result of that system; whether it is strictly legal or not I do not know, but the powers which they exercise are extremely beneficial.

4009. For how many years have you had that system which is adopted at Aberdeen under your eye?—Almost ever since it was established.

4010. And it has been established since 1841, has it not?—It has been in full operation for the last seven years, I believe.

4011. And you state that you have been in the habit of making yearly visits to Aberdeen?—Yes, and making inquiries there as to the result of the system from the police and others, who may be capable of giving me information.

4012. And you are satisfied, from the whole of those inquiries, that the results have been extremely beneficial there?—The streets are cleared of beggars, and vagrants, and idle children; there is nothing of the sort seen in Aberdeen now, or only to a very trifling extent; they rather bait the hook, if I may use the expression, by feeding the boys, and inducing them to attend school. Some degree of compulsion, however, is, I believe, exercised.

4013. But what do you say to that as a part of their system?—I think feeding is an excellent plan; there must exist either the means of inducing them to come, or the power of compelling them to come; and I think that the inducement is the better of the two, and probably would be least expensive in the end.

4014. Do you think that any system of schools could be established in this country to which Government aid could, with advantage, be given upon the plan of the Aberdeen schools?—I do not see what reasonable objection could be made to it, considering the very great difficulties and the circumstance in which we are placed with respect to this lowest class of people; there may be difficulties in effecting it, but there are great evils to combat.

4015. If there are any difficulties that have suggested themselves to your mind, or facilities for overcoming them, the Committee would be very glad to hear them?—The present state of the law would not admit of your compelling juveniles to come to school.

4016. It would require an alteration of the law for that purpose?—Yes; and then I think that the administration of the law could be difficult, if you had the power. It is not a subject, however, upon which I could give any very decided opinion. I should be inclined to recommend inducements being given as one means of assisting the object, and avoiding the difficulties arising from the exercise of summary powers.

4017. To return to the subject of those penal establishments which you mentioned just now, to what should you say would be the proper number to limit the inmates?—Small institutions are always proportionately more expensive than larger ones, and I do not think, that where there are the means of classification and dividing the numbers, that the accumulation of a number in any one establishment is any great disadvantage; I should say that a very manageable number would be from 250 to 300, or 350, in one establishment.

4018. Divided into classes?—Divided into classes of about 40 or 50 each; that is practically what we do at Parkhurst.

4019. What is the most available kind of employment which you can suggest?—The best kind of employment unquestionably is the cultivation of land; there is difficulty in finding employments within doors. With respect to tailoring and shoemaking, and weaving, and the different employments that can be introduced within doors, there is a great difficulty in disposing of any produce, that is, beyond what is wanted for consumption in the establishment, but the main objection is, that the employment is not so suitable.

4020. Do you think it desirable that institutions of this kind should, so far as it is practicable, be established in country situations?—Certainly. At least as regards the penal schools.

4021. With a view to that object?—Yes; if district prisons were to be established, perhaps half an acre should be allotted for each boy, and an acre for each man.

4022. Those would be the proper quantities of land to be taken?—About that quantity.

4023. Have you paid attention to the subject of Mettray?—Yes, I have frequently had occasion to read the reports, and to consider the discipline; I have not been at Mettray, but I ought to mention that in the course of last year M. de

Metz,

Metz, who is the founder of it, came over to this country, and paid very great attention to all the institutions which he had the opportunity of seeing; among other institutions he visited that of Parkhurst, and on his return from thence to London he said that he was much pleased with all he had seen there.

4024. You were in communication with him at the time?—I was.

4025. Does it occur to you that we might in this country take a useful lesson from the experience of Mettray?—I do not think the details of Mettray are generally adapted to the English character; French boys are different to ours. M. De Metz admitted that it was so, and that French boys were influenced by different considerations, and such as might not have much weight here. The fact is, that a piece of plum-pudding would possess a far greater influence over an English boy than the most vivid appeals to his honour or military enthusiasm; and though the feeling is perhaps of a lower order, it is useful to act upon it, for it has been found a means of producing very good fruits.

4026. Though the whole system may not be applicable, do you conceive that we might adopt any part of their plan with advantage, which we have not at present?—The chief element in their plan is the division of boys into families, and the association with those boys of masters and officers selected, and who are their instructors. Certain prisoners are also selected and placed in authority. I do not think that we should get officers who would live, and dine, and identify themselves completely with the boys as a family, and it would be at present a violation of the law to place any prisoners in authority over others; that, however, might be easily got rid of. I think we might possibly employ, to a certain extent, the services of some of the best boys in endeavouring to do good amongst the others. They are quite capable of it.

4027. Have you turned your attention to the subject of enforcing the liability on the part of the parents to the maintenance of children in reformatory institutions?—Not as to the practical means of obtaining the money, but I think that it would be right in principle, chiefly with a view of adding to the deterring effect of the sentence. The advantages gained by a boy in being sentenced or sent to one of these places would be great; and, with a view of deterring his parents from taking measures for gaining these advantages, it would have a repressive effect if he had to pay for it in any way; but it would be a difficult thing to enforce. I am afraid many questions would arise as to whether parents were really in fault, and therefore chargeable.

4028. Is that a consideration which you would take into view whether the parent was in fault, or would you make it a liability on the parent, under any circumstances, to maintain the child if he had the ability?—I think it would be almost a hardship to take the child away who, perhaps, had fallen into crime from no fault of the parent, and charge the parent heavily for maintenance. He would lose the boy's services, and have to pay more than the cost at home.

4029. Would you give such a power to a magistrate or a judge, to be used according to his discretion, according to the circumstances of the case?—I think the power, if it existed, should be very discreetly used.

4030. Does it occur to you that it might be desirable to make any district responsible, either in the first or second instance, for the expense of maintaining a child in one of these institutions?—I think that would be the more legitimate way of charging it in the first instance. It would make guardians and inhabitants more alive to the effect of any neglect. If a riot takes place, and any damage results from it, the hundred is held liable. It is an old principle of English law, which I think might with advantage be extended; so that, if it be true that the crime of the greater part of juveniles is traceable to neglect, either of parents or parishes, it would appear right and proper that the district in which that occurred should contribute. As the Government now pays chiefly the expense of the maintenance of prisoners, and of prosecutions and trials, it would make that distinction between juveniles and adult criminals, which, perhaps, might be of service in promoting greater care of them on the part of local authorities.

4031. Have you considered the subject to which district you would make the liability to attach; whether the particular district in which the offence was committed, the particular district in which the parent lived, or the particular district to which the child belonged?—The parish, I should say, would be better than the union.

4032. The parish which would be liable to maintain the child in the case of destitution?—Yes; that is to say, the locality where the neglect occurred.

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4033. In carrying out the suggestions which you have made, I presume there would be a very considerable amount of expense necessarily incurred; do you conceive that that might be in any way made up to the public by a diminution of expense in criminal proceedings, or other causes?—I stated before, that the expense of punishment and the expense of prevention, if taken together, would in some measure be the complement one of the other; that in proportion as funds were expended upon measures well devised for the prevention of crime, there would be a diminished expenditure in prosecutions in the punishment of crime.

4034. At present you have several heads of that kind; there is the expense of prevention, the expense of detection, the expense of prosecution, and the expense of punishment for all those destitute classes?—Yes; those are all distinct items; and, in addition, there is the expense of transportation, which is a very serious one.

4035. You consider, do you, that supposing the country to take upon itself the additional expense that might be necessary in order to carry out these suggestions, the country might look to be indemnified, as it were, against that expense, by the saving under those heads that you have now mentioned?—I could not say the exact proportion.

4036. But it would be a very considerable amount, would it not?—There is no question that there would be a very considerable amount of indemnity gained; I am quite positive there would be a great diminution in the expense of punishments.

4037. Do you think that it would be advisable to rely upon the aid of benevolent persons with regard to that second class of institutions that you have suggested, and to enlist their active co-operation?—I think it would be of great importance; I think that we have now sufficiently developed what is required for dealing with those lowest classes; there are the ragged schools and the institutions at Red-hill, at Quatt, Bridgenorth, Warwick County Asylum, at Stretton-on-Dunsmore, and at other places. Individuals have pointed out what is necessary for these classes, just as much as Howard and Romilly what was wanted in prisons in former times. These indications of public feeling generally precede the efforts of the Legislature, and they are perhaps the safest guides that can be followed; for an extended experience has been gained, without any expense to the State.

4038. Would you give such persons the power of visiting the establishments?—Certainly, and confide to them their general management.

4039. You would give a general inspection?—Yes, and a Government contribution; and the Government contribution might be proportionate to the efforts made in the district; but I think aid should be extended liberally, simply because this class under consideration of the Committee are infinitely worse off than the one immediately above them, which does receive aid. It would also appear essential that the aid of the Government should be given in such a way also as would be quite attainable by them, and adapted to the circumstances.

4040. With regard to the regulations for an establishment of that kind, do you conceive it desirable that they should be under the superintendence of some central authority, like the Secretary of State for the Home Department?—Certainly; I think that both for the prisons and also for the schools, regulations should be submitted to the Secretary of State periodically, as is now the case with respect to prisons; it would tend to uniformity, and be an advantage in every other point of view.

4041. Then the Secretary of State would have most extensive opportunities of observation and comparison?—Everybody would have the benefit of it, and the result would be that there would be a comprehensive system of regulations applicable to all.

4042. How would you have the appointments made?—As regards the district prisons, I think that the appointments should be entirely with the Secretary of State, and that the chief expense should be borne by the State. With regard to the schools, I think it would be of advantage if the appointments were subject to his approval only.

4043. Would you give the same voice in the appointment to the private contributors?—It would be safer with local superintendents acting in conjunction with the Government inspector, whoever he might be.

4044. You

4044. You would have all subject to the approval of the Secretary of State?—Yes; I think that that would tend to improve the class of officers.

4045. Sir *W. Jolliffe.*] Following out what you have just been stating with regard to the whole being under the superintendence of the Secretary of State, that would give an opportunity of meeting reforms in the management, wherever reforms had been found beneficial, by a concurrence of circumstances with regard to the management?—Certainly that would be the result.

4046. Rendering it of universal application, in this way, you think would be of great advantage?—I have no question of it. The same result is obtained in consequence of the regulations of prisons being submitted to the Secretary of State; one uniform code is now in operation.

4047. It has been suggested here, with respect to Parkhurst, that some improvements might be made if the warders, or those persons charged with the superintendence of these young prisoners, were better qualified, and had higher qualification for instruction than those that are employed?—I have no doubt that that would be the result, but the service of such persons could not be obtained without a greatly increased expense.

4048. Would it not be possible to find a class of persons differing from those that are employed, by higher mental qualifications and mental attainments, who would still be able to superintend the boys when they were employed in their industrial occupations?—I think what might be gained in instruction would be lost in discipline; it frequently happens that such a man as a schoolmaster may be extremely well qualified to teach in a school, and may acquire a great power over the boys; but take him out of school, when the boys are at liberty, and he does not retain that influence which enables him to preserve the discipline which is suitable for a prison. The class of officers you allude to I think would be more advantageously employed in the schools to which we have just been adverting than in the prisons, where we really want ready obedience, and a more strict discipline carried out; that is, if it is to be called a prison.

4049. In the case of the prisons, there would be no difficulty in combining with the prison discipline industrial occupation, such as that which is now carried on at Parkhurst; but in the case of the schools, such a combination would be far more difficult?—I think that in the schools industrial training should form part of the discipline, and that it is essential the schools should be situated in rural districts. If they were attached to the union workhouses, land should be taken on which the boys should be employed.

4050. The schools to which I particularly allude, are those which are to include children of the very lowest class of society; it would be difficult therefore, would it not, to remove those children to a distance from their home,—such children as would attend the ragged schools?—I think that the union house would afford facilities in the neighbourhood of large towns, if land were attached to it.

4051. Then you contemplate in this class of schools which you mention, that the boys should be wholly retained at the school; that they should not be educated as they are at the ragged school now and returned to their homes, but wholly maintained in these schools?—There might be two or three classes as regards that arrangement in the same school. Some might return to their homes, and there are many advantages in their doing so; others, who were quite destitute, would remain in the school, and be provided for there. I should strongly recommend industrial employment on the land, and that land should be attached to all the schools, as far as possible.

4052. Then there would be no difficulty in combining that with the education of all those educated in workhouses?—No. When I answered a question just now respecting the number who might be brought together in one establishment, I meant the number in the district prisons. The numbers in the schools should be much more limited, because the boys must be collected from the neighbourhood.

4053. Then what number would you suggest for the schools as being a desirable number of boys to congregate together?—That would depend upon the localities; in the neighbourhood of large towns you might have very considerable numbers. In the country, where there is not that mass of juveniles collected together, the union house would be one point, but other schools would be required in the towns and villages. Very small establishments would be necessary in some localities, and in many it would not be possible to attach land.

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4054. Proportionate to the population?—Proportionate to the population, and to the distance they would have to come to school.

4055. And you believe if the aid of the Government grant were extended to a class of schools of this description lower than that which the Government grant at present reaches, that it might have the effect of ameliorating the condition of the people, and deterring from crime a number of the most destitute classes of the community?—I think there can be no question about it, and I am of opinion that the recognition on the part of the Government of such schools would stimulate benevolent persons to devise the means of establishing them.

4056. Mr. *Miles*.] Now, we will take up first of all the ragged schools; do you not think, in the assistance which Government gives that lowest class of schools, that it would be a great point that they should look to what private benevolence has already done, and what means they have found effective to their objects?—Unquestionably; I stated before that private benevolence generally indicates what is wanted, but that assistance was required for carrying the plans into greater effect.

4057. But if you carried out this system in so extensive a way as you suggested in your answer to Sir William Jolliffe, should we not be placing these ragged schools upon an equality with the union schools?—I think they ought to be. Both classes are equally destitute. Those who are in the union house are there because they are destitute; those who are running about the streets are engaged in crime and idleness because they are destitute; and I think that in principle the two should be considered in the same category.

4058. Then it would simply resolve itself into this, an enlargement of the union houses, for the entrance of juveniles who do not at present come into them?—Exactly, and increased assistance from the Consolidated Fund.

4059. Do you not think that there would be a consequence in this, that criminal juveniles would be mixed up with those who were only paupers from chance?—No, because the criminals would go to the district prisons.

4060. But offenders, children who had committed offences for which they had not been in prison, might be mixed up with the comparatively free class?—The difficulty I anticipate in dealing with the whole as a body is this, that the difference between schools would be so small that it would be a great object to diminish the number of schools applicable to the class, below those who go to the national schools. I quite see the distinction you wish to draw, and I think it a very just one; but the difficulty of drawing the line would be very great, and I am afraid it would interfere with the simplicity of the arrangement.

4061. Do you not think, then, that it would be much better that benevolent persons should be going on finding places for their ragged schools, founding them, and doing as they have hitherto been doing, and that they should be aided by Government, and that Government should merely inspect and hold the reins, leaving them to carry out their system precisely as they pleased?—My recommendation would be to give greater effect to the ragged schools and the efforts of benevolent people; and the observations I have made have had more reference to recognising the ragged schools, and to placing them upon an effective footing, rather than positively mixing them up with new institutions. I think it would be necessary to induce or compel children to come to the union, supposing there was no ragged school or other place where they could go to.

4062. Now, referring again to your criminal schools, there are only two classes of schools that you would assist in any way?—Yes.

4063. The one, the first class, that from which all our juvenile criminals come, you would use as deterrent; afterwards, when the children had been found guilty of crime, you would use your criminal schools?—Yes.

4064. Now, I ask you whether you have kept an account of the total number of children who have been sent out of Parkhurst; of those who have turned out well, and of those who have turned out ill in the colonies?—We have no precise information upon that point; we have no very precise information, but I have no hesitation in saying that the great majority have turned out well.

4065. The relaxation which was made in the discipline of Parkhurst, has, I understand from you, lately had a very good effect?—It is not relaxation so much as alteration in the elements of discipline and instruction; formerly there was a great proportion of school instruction, and very little industrial training; those two elements are now reversed.

4066. Possibly

4066. Possibly you conceive that there is a greater degree of liberty of action given to the children than formerly?—Yes.

4067. Do you not think that if the liberty of action has turned out so well, you may still increase that liberty of action a little more, with more beneficial results?—I doubt that; I think that we should lose our discipline; I think we have gone as far as we can; when I admit there is an increased liberty of action, that arises from the boys being now more employed upon the land and less in the schools, but I do not know that there is much more liberty of action in the common acceptation of the word; they are under strict discipline the whole time, under the superintendence of officers.

4068. I understand that you recommend for juvenile criminals very much the same inspection as that which takes place with adults as to inspection?—If district prisons were established, I think that they should be under the sole inspection of the Government.

4069. I merely allude to the minor officers, the turnkeys, or whatever you may call them?—The warders.

4070. And you still recommend that it should be the same description of persons?—I think so.

4071. Are they not generally military men that you now employ?—Most of them are.

4072. The consequence is, they take their orders from their superiors, and they see them carried out with the children?—We find that discharged pensioners, serjeants of good character, who have served 18 or 20 years in the army, or more, are uniformly extremely kind to the boys, and considerate in their treatment of them; they carry out their orders with precision, and they are unquestionably the best officers we can obtain, either for juveniles or adults, where it is necessary to preserve strict discipline.

4073. Do you think there is a sufficiently conciliatory manner with them, so as to gain possession of the affections of the children?—I think that it is sufficiently so; there are, of course, exceptions.

4074. Have you turned your attention at all to the institution of Kneller Hall?—No, I have not.

4075. Do you not think that if masters have been regularly trained so as to have obtained the amount of necessary knowledge, and at the same time a certain industrial training, so as to be able to inspect and direct the labour of the boys, that these masters so put over them would be looked upon more in the light of senior companions, and would gain the boys' affections more than the present race of men who are set over them?—I think it is very possible they might do so, but, as I said before, I think we should lose the character of a prison, and get more close to the character of a school than we now are.

4076. I understand you to recommend that everybody convicted should pass a certain time in separate confinement?—Yes.

4077. Do you not think that it would be practicable, supposing the plan were carried out, that the boys so convicted should spend their separate confinement in a separate gaol under possibly new regulations, and each boy having spent that separate confinement, and being three or four months, or whatever it might be, under superintendence in the gaol, that then they should be removed to these reformatory schools, which should possess as little as possible the appearance of a prison?—Doing away with the appearance of a prison at these penal schools, you would fall into the opposite difficulty of having committed the boy to a prison, or to a county gaol. I think that the separate confinement, if properly arranged, might be equally well done at the county prison. The same plan was proposed with respect to the district prisons which was contemplated to be formed for adults. A period of separate confinement of 6 to 9 months was to be undergone in the county prison, and then they were to come to the district prison for the remainder of their sentences; and upon the same principle a juvenile might go for a shorter period if it were found convenient, and then be transferred to a penal school or district prison.

4078. That would get rid of a great deal of expense, would it not?—No, I think not. I would, with regard to that, attach to each establishment the means of carrying out separate confinement just as it is at Parkhurst; a certain number of cells would probably have to be erected at the county prison; and therefore, whether erected there or at the district prison, it would be the same thing.

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4079. Do you not think, that the effect of juvenile prisons, if they were once established, would be this: that instead of sentencing to transportation, and getting the boys into Parkhurst, it would induce the persons presiding at the trial to try the effect of sentencing children to a long imprisonment, instead of to transportation?—Yes, it would materially affect the sentences on adults, and would get rid of a great proportion of juveniles who are now sentenced to transportation.

4080. Then would you not think that it would be better a little to relax the discipline of Parkhurst, keeping Parkhurst still up for those who might, after repeated offences, be sentenced to transportation?—I should keep Parkhurst up, because some must be sentenced to transportation for serious crimes, and we also have to deal with the class that are incorrigible. Now there is a very important clause in the Parkhurst Act with relation to incorrigible offenders.

4081. *Chairman.*] Have you the Act before you there?—Yes, I have.

4082. Just name the exact clause, it will be more convenient; what section is it?—The Parkhurst Act is 1 & 2 Vict., c. 82, and the section is with reference to incorrigible prisoners.

4083. What is the number of the section?—The number of the section is not stated here. The clause is as follows: "And be it enacted, that it shall be lawful for the Secretary of State, at any time, to order any offender to be removed from Parkhurst Prison as incorrigible; and in every such case the offender so removed shall be liable to be transported or confined under his or her original sentence or sentences of transportation or imprisonment to the full extent of the term or terms specified in such sentence or sentences, and shall be subject to all the consequences of such sentence or sentences in the same manner as if no order for sending him or her to Parkhurst had been made." There is the same clause in the Millbank Act. I was very doubtful of the meaning of this clause. I did not conceive that it was possible that after a boy had been at Parkhurst, say five years, or a man at Millbank for three years, that you could then transport him for seven years; but reference was made to the law officers of the Crown, and they gave that as the interpretation of the clause.

4084. Mr. *Miles.*] Do I understand you that seven years could be given in addition to the three?—That was the interpretation given to the clause. I conceive that if that be the right interpretation of the clause, that the view of the Legislature was this: that imprisonment at Millbank, as it then stood (it was a penitentiary at that time,) was a commutation of the original sentence; and that if a prisoner had not fulfilled the conditions of that commutation, the whole sentence fell upon him, and the same with regard to Parkhurst.

4085. Has it been carried out to the full extent at Parkhurst?—Not to my knowledge. I never recommended that it should be. It is an important section, however, as showing that the boys might be removed from one place to another; and that if they failed in the conditions under which they were removed from the penal establishment, they would be liable to the entire sentence again.

4086. Then what I wish to sketch out is this: namely, that Parkhurst, for juveniles, should be kept for those who may hereafter be sentenced to transportation; that your other penal reformatory schools should be in districts, and to which children should be sent who may be sentenced to imprisonment for two years; and that the imprisonment of those children, when first under sentence, should not take place in the reformatory schools, but should take place in the gaols, from which they should be removed to the reformatory schools; do you see any serious objection to that?—I think there is less objection to that than might at first sight appear. If a boy commits an offence of a very serious nature, he is not dealt with by summary conviction; he would be committed to prison, I think in that case there would be no objection to his continuing in prison after his trial, for a period necessary for carrying out that part of the sentence involving separate confinement.

4087. You agree, as far as children go, that nothing can be worse for their character than to mingle in prison; to mingle even very frequently, as they do now before trial, with old offenders?—Where the discipline is not properly carried out, there is no question that it is fatal to them.

4088. With respect to the committal of children previous to trial, would you recommend any alteration to be made upon that subject?—No, I do not think it would be necessary.

4089. There

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4089. If there is not a juvenile class, they mingle together under the regulations of the prison?—The Committee of the House of Commons which sat in 1850, most strongly recommended, especially with respect to juvenile criminals, that separation should be the rule.

4090. But if separation is not the rule, generally speaking, before trial, you would recommend separation to take place before trial?—Yes.

4091. As well as after trial?—Yes.

4092. So that, literally, from the time of a child's committal he would not be in company with any companions who should at all deterioriate his character, whatever it might have been when he came to prison?—Exactly; and as regards the objection to keeping a juvenile prisoner in separate confinement, supposing him to be three months in separate confinement previous to trial, he would have been under instruction the whole of that time, and it would be unnecessary then to keep him in separate confinement during any portion of the sentence. He would go to the district penal school or prison.

4093. He might have undergone almost sufficient education during the period before his trial and after his trial, so as to leave a longer time for industrial pursuits?—Yes.

4094. Which you think would be eventually a great benefit to the child in after life?—No doubt of it.

4095. Mr. *T. Egerton.*] Could you inform the Committee what proportion of the prisons in England at the present moment have provision for separate confinement of juveniles, both before and after trial?—I am not quite prepared to do that, I was not aware that the question would be asked me; but a very large proportion of the prisons have been so improved as to admit of it. I know of 50 or 60 prisons that have been altered or improved, containing not less than 10,000 or 12,000 cells; full particulars will be found in my report for 1847.

4096. When you use the term children, to what age do you limit the term?—The age does not always give a correct means of judging.

4097. When using that term will you kindly mention an age, because in any alteration of the law some fixed term must be understood?—I do not think that any boy under the age of 15 should be subjected to a sentence of transportation; but as regards committal to a prison, and making him responsible for the consequence of crime, I think that a boy of 12, or perhaps less, might be sent to prison, if there were a good system of discipline.

4098. Do you imagine that the process of reformation in prisons can be as effectually carried out as in reformatory schools?—No; for this reason: that separation is an essential element, and can only be carried out for a limited period; and the industrial employments which can be introduced into a prison are not so advantageous in their general tendency as agricultural pursuits.

4099. You would prefer then, with respect to children under a certain age, that they should be sent to schools instead of to prisons?—I think that you should not lose sight of punishment as the consequence of crime. A prisoner ought to be made to feel that he is under punishment for the crime which he has committed.

4100. In your opinion, has it been a very great object of the Legislature of late years, as far as possible, to avoid sending a boy to prison by the Act, which give summary powers of conviction to a magistrate?—It is a most important point. Summary conviction is, I conceive, one of the most important means of regulating the whole subject.

4101. Now with respect to a first offence, do you not think that a boy's character would be most seriously injured in the eyes of the world and of his neighbours by being sent to prison for a first offence?—Yes, I think so; but still I do not clearly see the remedy for it.

4102. In your opinion, would such a remedy as leaving it in the power of a magistrate to send a boy into a reformatory school be sufficient?—It would depend upon the kind of school it was. If that school was for the children of honest parents it would be confounding poverty with crime, for the boy might belong to a class not destitute.

4103. But putting it upon the supposition that industrial counties or associated counties would have the power of forming industrial reformatory schools for boys under a certain age, could that, in your opinion, be conducive alike to the ends of justice and humanity to place boys under a first conviction in schools of that description?—I am of opinion that you must draw a broad distinction between

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between crime and poverty. I am inclined to think that you want two establishments, one for dealing with boys who have absolutely committed a crime and are committed for that crime, and another for those who are not detected. I should, however, be disposed to recommend very wide discretionary powers, so that if a boy's crime was slight he should be sent to school. If there were any power of that sort it would be very advantageous; but if a boy is really a criminal, unless he is very young indeed, I think he should go to a penal establishment before he goes to the reformatory institution.

4104. Can you in your mind in any way draw a distinction between the actual criminal and that large class, the class *dangereux*, which exists in our large manufacturing towns?—It is very difficult; because, no doubt, the numbers of those who commit crime and are undetected exceed those who are brought within the meshes of the law.

4105. With respect to the schools at Aberdeen, are you not aware that a very large proportian there are boys who actually are criminals?—A great many of them.

4106. Do you see, therefore, any reason to draw the distinction which you attempted to draw before, between boys of that class?—It is more with the view to deter from crime. I think, if you take a view of the whole mass, and intend to provide effectually for it, you may then very properly draw a distinction between those who are within the grasp of the law and those who are not; my suggestion is, that they should pass from one institution to the other. I think that the committal, in the first instance, to a school would be wrong in principle; that is my view. There is a point which bears upon this in Lord Denman's evidence before Lord Brougham's Committee: his Lordship was asked this question, "Does any amendment of the law, or any change in its execution, occur to you, as adapted to the case of young offenders." His reply was as follows: "No amendment of the law, adapted to the case of juvenile offenders, occurs to me. In the execution of it I entirely agree in the opinion that advantage should be taken of their imprisonment to inculcate the principles of religion and morality; but I greatly dread the effect of giving them benefits and privileges which they never could have hoped for but from the commission of crimes. I own myself extremely jealous of the gratuitous instruction of the young felon in a trade merely because he is a felon, and of the displacement of the honest from employment by his success in thus obtaining it."

4107. Do you imagine that our present laws as to prisons have the effect of deterring from crime in the case of the class *dangereux*?—I do not think they do to the extent that they ought to do, or might do, but I think that that arises more from the want of proper administration of the law in prisons than from any defect in the law as it stands.

4108. Do you think, so far as the answers you see given in the reports of different persons go, there is any single answer given by a boy where he is deterred by fear of the law from committing a crime?—I think that that arises from his never having been afraid of going to prison. I know a strong instance in the case of a Scotch prison; the boys found themselves so well off there that they committed crimes in order to get there; they spent their lives there, and the result of being placed in separate confinement was, that they got stiff joints, and were very seriously injured for life, because of their determination to remain in prison. Had they been subjected to a stringent system of discipline, combining hard labour, short diet, and whipping, they never would have gone into prison from choice; it was clearly their determination to remain in prison from being better off there than elsewhere.

4109. Do the observations with respect to prisons in Scotland apply equally with respect to prisons in England?—Not equally; because I think that the prisons are now more deterring in their character in various ways than they were, and some are gradually approximating to a sound and good system.

4110. What is the shortest time that you would propose that a juvenile offender should be in prison, so that imprisonment should have any effect upon him?—I should like a long sentence, with a view of having power as long as it was necessary; it is impossible to lay down any positive rule in apportioning the punishment; the object would be to do good to the boy, and to do good to society by keeping him from committing crime. Supposing he were committed to a district prison for two years, it would afford the opportunity of detaining him there for nine or

12 months,

12 months, and then sending him to a pauper school, from whence he could be more eaily disposed of.

4111. Would you propose that as the shortest limit of imprisonment to which a boy should be subjected, either on summary conviction or at the sessions?—No; my view, as expressed in former reports, has been that the sentence in the first instance should be for a very short period of stringent discipline in a prison. I should try to deter; but would not attempt a mere reformatory process, because the time would not allow it to have any effect upon the boy's character.

4112. You should then object to very heavy punishment?—A good deal would depend on the character of the boy. I should recommend discretionary power being exercised.

4113. Mr. *C. Legh.*] We do not quite understand your evidence with regard to these reformatory schools; if I understand you rightly, you say that there is a penal school and a reformatory school?—Yes.

4114. Perhaps you would be good enough to draw a distinction between those schools?—The distinction would be, that at the district prison all boys would be committed for long periods who came within the grasp of the law, and then they would be passed from that into the industrial school, or some other institution (for there are several in the category) just in the same way that boys are now dealt with when a sentence of transportation is commuted, and they go from Millbank to Red-hill.

4115. Then all the children would be sent, in the first instance, to this penal school?—Only those who had committed crimes, and were under sentence.

4116. Then how do you feed your schools, if I may use the expression?—I should establish district prisons in the most convenient situation for being accessible to the places furnishing the greatest number of prisoners. I cannot give the Committee, perhaps, a better notion of the way it could be done, than by stating that by direction of Sir George Grey I considered the means of establishing district prisons for adult prisoners according to the recommendation of the Committee of 1850; in considering the details of the subject it appeared to me, that if there were accommodation for 2,000 prisoners it would be sufficient to take in all who would be sentenced to periods exceeding one year, extending from one year to three. I proposed that there should be two establishments; that one should be situated within about eight or ten miles of Sheffield, and that another should be situated within eight or ten miles of Rugby; those two situations, with a radius of 70 miles, comprehended the whole districts of England that furnished the greatest number of criminals. The same principle will apply to the erection of district prisons suitable for juveniles. The places furnishing the greatest number will be London, Liverpool, Birmingham, and Manchester; and the situations to be selected should be conveniently accessible to those places.

4117. Now having selected these places for penal schools, by what process would you feed those schools; what children would you send there?—All those that were under summary convictions, or under sentences for periods exceeding a few months, up to two or three years.

4118. All summary convictions?—All summary convictions.

4119. By magistrates?—Yes, except those that might be committed for a few days or weeks to the county prison, with a view to deter by the fear of punishment.

4120. Then would you allow any children to be sent to the county prison?—Yes; those who commit serious offences would require to be sent there, because they would have to take their trial.

4121. Then what class of children would you send to the other school, which you call the pauper school; how would you divide the classes of children that you sent to this penal school?—Those who were detected in crime have to go to the penal school.

4122. Then what would you send to the pauper school?—I should take the same measures which the authorities in Aberdeen have taken to induce the whole class to come to pauper schools. I am not aware that compulsory measures could be resorted to, but I would get them to school by some means.

4123. Then among that class you would comprise all vagrants?—Yes; but I think an Honourable Member just now made a very proper distinction between poverty and vagrancy.

4124. Then you would keep these children in those pauper schools; you say you

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you would keep the children till they were otherwise disposed of?—Yes; it would be a great object to do so.

4125. How would you do that?—If they go away from these pauper schools unprovided for, they fall into their old courses again; it might be difficult to accomplish, but it would be a great object. Looking to this class as destitute and unprotected, it is well that the hand of benevolence, as well as the assistance of the State, should be extended to it.

4126. Because it struck me there would be some difficulty in keeping these children until they were disposed of?—No, I think the means of disposal afterwards would be an additional inducement both to parents and children; I think it would operate beneficially in that way.

4127. Would you suggest that the children should be released from these penal schools for good conduct?—Yes; I should commute the sentences, under certain conditions to be fulfilled in the pauper school or reformatory institution, in the same way as it is now done by the Secretary of State in respect of convicts sent to Red-hill; so that it would be a reward of good conduct in a penal school to be sent to the pauper school.

4128. Would you allow children upon these occasions to go back to their parents before sending them away?—Yes, if they had the means of providing for them, an inquiry would be made, as it is now done, with respect to convicts about to be pardoned. If the inquiries were satisfactory there would be no objection to their going back to their parents, but the reverse.

4129. In regard to reformatory schools, do you propose that they should have walls and so on, like a prison?—No, the reformatory schools I should propose would be like any ordinary school, but with suitable provision for industrial training on land, as far as circumstances would permit.

4130. I understand you to say in regard to emigration, that you would keep those individuals till an opportunity offered itself for emigrating; does it not appear to you, that that might be a very long time?—It would depend upon the activity of the members who took an interest in it: there are various means of disposing of them.

4131. Do you think that kind treatment with the poor is more likely to tend to their reformation than compelling them?—There can be no question about it; the whole discipline of Parkhurst is based upon kindness and consideration, and most marked effects have been the result.

4132. The Marquis of *Blandford.*] You spoke of district prisons as being advisable to be established, do you mean that those should be similar in administration to Parkhurst, for juvenile offenders?—Yes, entirely so.

4133. Is it your opinion, that upon the first committal of an offender, upon his first being brought within the power of the law, that the first step taken with him should be that he should be committed to one of these district prisons?—That would depend upon circumstances. I think you might try to repress crime by sending him for a very short period to the county prison for separate or solitary confinement and whipping; I should be inclined to try whether he could be deterred by punishment, but if that did not avail, I should send him for a long period of reformatory discipline and instruction.

4134. So that, in administering that primary punishment, you would not add on to it any further period of detention?—No.

4135. You spoke of three modes of establishing schools: one of these was the establishment of the severe form of penal school; the other, a milder form of reformatory school; and the third was a mode, suggested by you, of the State giving assistance to ragged schools, and other voluntary and benevolent efforts?—The pauper schools I alluded to would embrace the whole of the institutions which are devoted to the pauper class at this moment; the ragged school, the union school, and such institutions as Red-hill and others. I think they should be considered all in one category, as comprising the means of assisting a destitute class of people, entitled to the most liberal aid of Government and the best efforts of philanthropy.

4136. Would you call those the reformatory schools?—Any name that is least objectionable; "Reformatory School" is very good.

4137. Would you give to those schools, or to any number of them, the power of detention?—There I see a difficulty; it would be a great point to attain if it could

could be managed. I think it might be managed as at Mettray; their original sentences fall severely upon them if they go away; it would be a negative power.

4138. Would you open them to Government inspection?—Certainly; but I should leave them under the immediate superintendence of the local authorities.

4139. Then those of which the Government approve might be those to which criminals, when relieved from the severer portion of their sentence, might be sent?—That is precisely what I intend.

4140. Now, would you propose that in any of the schools the prisoners should be lodged?—I think that several classes might be introduced advantageously into the school, and that it would be convenient to do so. In Aberdeen they do not lodge them. There are many who are so criminal that, if they go back to the places of vice and infamy which they usually inhabit, would lose all the advantage of the schooling which they had had; there are others whose parents might be able to assist them. I think in those cases the good that the boy may have received would be conveyed in some degree to his family. Many instances of this favourable influence may be adduced, and it certainly is a point not to be lost sight of.

4141. Taking those boys who may be committed for a certain time in a reformatory establishment, would it be necessary that they should be lodged?—No question of it. They would be to a certain extent in custody.

4142. Supposing that in those schools dormitories are fitted for the children, would you leave those schools to voluntary efforts?—To voluntary efforts, aided by Government, and under a certain amount of inspection of the State; but it would be more with a view to obtain uniformity, and to see that the funds were properly distributed and disbursed, than anything else. I think that voluntary efforts have done a great deal, and clearly indicate what is wanted.

4143. Mr. *Fitzroy*] Did I understand you, that upon the first conviction you would attempt to deter from crime, by a system of short imprisonment, either in an existing prison or in one of these district prisons?—In an existing prison, if that course failed, I would; I should facilitate the means of committal for long periods of imprisonment.

4144. Would you commence, as at Parkhurst, with a probationary trial of solitary confinement?—Of separate confinement.

4145. Would you leave the duration of that separate confinement to depend upon the conduct of the boy, or would you settle in his sentence the period of separate confinement which he had to go through?—Under certain limits; I should leave it to the discretion of the authorities of the prison, as it is at Parkhurst. At Parkhurst, the period fixed by the Secretary of State for the home department is four months; that period is now generally carried out; but previously to the year 1849 I think the governor had the discretion of removing a boy from separate confinement as soon as he thought he had gone through a sufficient period; always within the limit of four months.

4146. Then with reference to the first convictions you would confine them either in district prisons or in these reformatory schools; in what respect would you make the punishment more severe than it is at present?—The first convictions that I referred to would be at the discretion of the magistrate, in some measure. If he saw the probability of deterring the boy from the commission of crime by a whipping, or a few days' solitary confinement, he might try that course. There would be objections to committing him for any long period; but if he were engaged in crime, and the magistrate was satisfied that he would continue in crime, then the most prudent course, as far as regards both the public interest and those of the boy, would be to commit him to the district prison for such a period as would allow reformatory discipline to bear upon him.

4147. From your experience of the effect of corporal punishment, are you inclined to recommend that as likely to deter from crime?—Yes, I think so. We have the experience of our public schools, and other places, and see that it has a deterring effect; boys are afraid of it.

4148. Is it or is not the fact, that in the case of boys who are most frequently committed to our gaols, many of those boys have undergone corporal punishment repeatedly?—There are many boys upon whom you can really make no impression, either by fear or encouragement. Whipping is, however, an element of discipline that should not be lost sight of. I am not at all an advocate for its use beyond the power that it exercises in deterring and acting upon a boy's fear.

4149. Would you propose to shorten the time of imprisonment very much, if you

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you introduced a system so much more severe?—I only contemplated a few days' or a week's confinement in connection with whipping.

4150. Then your proposition, if I understand, is of confinement for only two or three days, and uniformly accompanied by corporal punishment?—I think a whipping with a birch rod, combined with a short period of solitary confinement, would have a deterring effect, if administered for a first offence especially.

4151. With respect to diet, would you decrease the quantity of diet?—I should give the most spare diet that was consistent with the preservation of their health, and render the prison as deterring and as disagreeable as possible for those short periods. But it is entirely in connection with very long periods that they should be committed for reformation.

4152. Then, upon second conviction, you would set aside all hope of deterring, and set to work to reform them?—Yes.

4153. With respect to the result of the Parkhurst system upon the after-life of the boys; I think you mentioned that the inhabitants of Western Australia prayed that they might have convict labour furnished to them?—Yes.

4154. You quoted that as proof of the satisfactory working of that part of the system; now, is it not a fact, that at the time that the inhabitants of Western Australia were praying to be allowed to have these boys, that the other inhabitants were deprecating the introduction of convicts, and were almost in a state of rebellion, in consequence of the convict labour being sent to them?—That is a fact as regards the colonies of Sydney and Port Phillip.

4155. Consequently, it would hardly appear that the anxiety of Western Australia to receive those boys was a sufficient proof of the improvement in their moral character?—The accounts we received of the boys for several years had been extremely favourable; the boys had been apprenticed, and had given satisfaction generally to their masters, and it was a trial of convict labour to that extent which had overcome the reluctance and prejudice of the colonists of Western Australia to the introduction of adult convicts, and led them most earnestly to petition for it.

4156. Mr. *M. Milnes.*] Do you agree with the general opinion that the fact of a child or young person being committed to a prison casts a stigma upon a portion of his future life, so as to render it very difficult for him to procure ordinary employment, and prosecute his usual course of industrious life?—I think it unquestionably must interfere in a certain respect with their future prospects. The sentence of transportation, which is frequently passed from the benevolent motive of getting boys to Parkhurst, operates in a tenfold degree more injuriously to them.

4157. Do you think, therefore, that it is just to cast this stigma, perhaps colouring the whole life of an individual, upon a child, we will say under the age of 13 or 14, for an offence which if committed by a child in the higher class of society would be treated as a child's offence, and disposed of with a child's punishment?—I think under 13 or 14 that imprisonment should very seldom be resorted to. I am inclined to take the view that to a certain extent is taken in France upon that subject, that a child of a certain age has committed crime *sans* discernment, but I do not think you could push it to any extreme limit, and it is difficult to define the age, for criminals are very different. Some boys of 13 are really more precocious than others of 14 or 15 may be, but still I should advocate a discretionary power with the magistrate to overlook the offence, and send them to a pauper school instead of a penal school.

4158. Your remarks therefore as to the system of treatment with regard to juvenile offenders would rather apply to young persons, about we will say the age of 14, than below it?—I should be disposed to say from 13 to 15 or 16 would be about the ages that should form the limit of criminals sent to the penal establishment; it is very difficult to lay down any rules which shall not be acted upon with full discretionary power.

4159. We find that a considerable proportion of the criminal children who come to pass through the prisons of the country are below the age of 14, some of the ages of nine, 10, and 11; how would you propose that those children should be dealt with?—I should find a great difficulty in making any recommendation about it; if they were sentenced to detention or punishment in the school, it would be an approximation to a prison, and it would be also mixing up the child who has committed a crime with those who had not committed crime. I quite admit that he majority of the mass may be criminal, but a boy is deemed to be innocent till proved

proved guilty, and I think it would be confounding destitution and crime in a way that would practically be inconvenient; but the whole subject is very difficult, and there is a good deal to be said on both sides, and at best it will be a choice of evils.

4160. Does not the ill effect, or the little effect, which has been produced by our present treatment of juvenile offenders, in diminishing their numbers and arresting their crimes, authorize us in the belief that the merely deterrent principle upon which we have hitherto gone, fails us in the case of juvenile criminals?—I have said before that I do not think, as a general rule, there is a suitable system of discipline going on in the prisons; there has been an attempt at reformation, under very short sentences, and that has been the great element of failure in my judgment both with respect to adults and juveniles.

4161. Do you think, therefore, that a system carrying with it more pain to the individual would be more likely to have a good effect?—I should suggest in many cases a trial of a short, sharp, stinging punishment in the prison; if that did not do, I should then fall back upon the long period for reformatory discipline. It would be with a view to get rid of the expense of a long sentence, that, in the first instance, I should try the deterring process of simple punishment.

4162. Is not that the present consequence of summary conviction; by which a child is sentenced, then corporally punished, then remains in solitary confinement two or three days, and is then dismissed?—In some of the large towns it is so, but I do not think it is so in general; the usual sentence extends to some weeks, and an attempt has been made to introduce industrial training, and a system of management, which have no deterring features in their character at all.

4163. Do you not think that the little effect of the deterrent principle, with regard to juvenile crime, may in some degree, at least, be traced to the incapacity of persons at that time of life and with so little means of education to foresee and calculate consequences sufficiently to let the deterrent principle act upon their minds as it would upon the minds of adults?—I think that a boy, however young he may be, will know whether the punishment is one that is distasteful to him. He will not return to a whipping and short diet if he can help it.

4164. Do you not see usually in children that it requires some education of the moral sense to enable them to connect the notion of the fault and the punishment so distinctly as to allow the deterrent principle to act upon their minds?—I think that many crimes are committed by boys who are not aware that they are crimes at the time they are committing them; but I think if they had a short, sharp punishment for it, that they would know very well that they were crimes afterwards, and that they would take care not to commit them.

4165. Is it not a fact that in our great towns, where a great deal of this depredation takes place in company, that other feelings, such as sympathy, vanity, even a sense of false honour, are so brought into play amongst these young persons, that the notion of suffering punishment if they are caught has very little effect, in comparison with the other motives which impel them to commit the crimes?—I think there is a great deal of truth in that observation; but it can be met by a kind of punishment they cannot glory in; such, for instance, as was provided for in the recent Act for protecting the Queen from assaults and insults. At Parkhurst we should have plenty of candidates for a whipping with a cat-o'-nine-tails, because it would make them appear manly; but a birch rod is much disliked.

4166. And, therefore, do you not think that a system which went upon the principle of rooting out those false ideas from the minds of these children, and bring them to a clearer sense of right and wrong, would itself be more likely to be permanently effective than one that was merely deterrent?—I think you have misunderstood my recommendation; it was more with the view to avoid the great expense, and the accumulation that would occur, if boys were indiscriminately sent to distant prisons for the most trifling offences, that I would take the chance of the deterrent principle; first, I should recommend the discretionary power being exercised on the deterrent principle in those cases where there was a chance of success; in others, I should say that the obvious course was to commit them at once, for a very long period, to a penal school, and uproot these false notions.

4167. Do you think that the strict discipline of a penal school, carried out for a long time, would be likely to subdue the character of the boys under such circumstances?—I have no doubt of it; the experience gained at Parkhurst on that very point has been extensive and favourable.

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4168. Has it not been found, that the boys at Parkhurst become, in a certain degree, dependent upon their system of life, so that when they are thrown into the world again, they are little able to resist the temptations which surround them?—No; the discipline of Parkhurst is almost entirely in association. The first four months is in separation; the remainder, which will average close upon two years, is in association, where they have a great number of temptations similar almost to those that they would have to encounter out of doors; and I do not see that result you anticipate would follow. If they were detained in separate confinement for the whole period, your remark would apply fully.

4169. Would you not attach importance to the principle of self-control which is engendered by such institutions as the Philanthropic Asylum, where there are no material bounds to confine the boy, and where his daily life almost entirely depends upon his own exertions?—I think the Philanthropic would be a most excellent model for the second class of schools to which I have alluded, that is to say, for the paupers or the lowest class of society; but I think if the sentence of the law has to be carried out, and there is a responsibility imposed upon the governor of a penal school or district prison to keep in safe custody the boy committed to him, that you could not trust to his honour to remain, nor could you very materially influence him except by showing that it was for his advantage. I do not believe that many boys at Parkhurst would run away if they could see their way clearly before them. What has given rise to disturbance there has been the want of means of effectually disposing of them at the time that they were led to expect that they should go away. They have naturally become irritable and discontented, under the assumed notion that their just expectations had not been fulfilled.

4170. You stated that you thought you were afraid, that if these establishments were made rather to have the character of a school than of a prison, there would be a temptation on the part of parents to encourage their children in crime for the purpose of sending them there?—That is, provided there was no institution to which the whole mass could be sent who had not committed crimes.

4171. Has your experience then of the criminal population of this country, both as you have seen it in prisons, and as you have examined its habits out of prison, led you to the conclusion that parents do generally encourage their children much in habits of crime?—I have not sufficient knowledge to give an opinion upon that subject. It is one that has laid rather beyond the sphere of my duties, and I have not attended to it; but I merely form my opinion upon the general principle, that if they had nothing deterring before their eyes, though they might ot directly encourage the boys in crime, they would not have the fear of the consequences before them. Both parties would form their calculations.

4172. But do you not think that those parents, whose moral sense was so dull that they would encourage their children to run the chance of a life of crime, are unlikely to attach such value to education as to send their children to a place of this kind merely for an education?—I think it is more the future disposal that would influence them. They would argue this way: the boy can still go on in crime; he brings us the proceeds of the crimes; and if the worst comes to the worst, he will be provided for for life.

4173. Will they not argue that, as the prisoners are now sent to Parkhurst?—Yes, and there is the great difficulty; and so great have we felt that difficulty, that some years ago Sir James Graham approved of cutting off all communication between the parents and their children, lest the parents should know the advantages which the boys were enjoying. That regulation exists at the present moment; the governor is even restricted from indulging his feelings by giving information to parents, otherwise than on a printed form, referring to their state of health.

Captain *Williams*, called in; and further Examined.

Captain *Williams*.

4174. Mr. *Miles*.] YOU are aware of a paper, intituled "Juvenile Offenders," that has been submitted to Parliament?—I am.

4175. This paper lumps all the children, between the ages at which they may have been committed up to 16; could you give the Committee a return, showing from the earliest age up to 16, what are the numbers and the imprisonments and the sentences, in each class of the individual years?—Yes.

4176. Will you be kind enough to obtain it, and put it in?—Yes.

John Ball, Esq., called in; and further Examined.

4177. *Chairman.*] YOU were asked whether you had any suggestion to offer as to changes of the law; I believe you wish to add something to the answer which you have given?—Yes; there is one point I had omitted to mention in reply to the question. In the present state of the law in Ireland, persons of all ages, young or old, are liable, and are continually sent to a very considerable distance for trial; for instance, in the county of Cork, they may be sent a distance of 110 miles, from one extremity of the county to the county gaol, and in all cases, except where the sentences are very short, they are sent to the county gaol, and not confined in Bridewells. In that way, the public, for the purposes of justice, remove from their own district persons who are often guilty of very slight offences, or sometimes it happens not at all guilty, but merely sent for trial. I believe that many cases of great hardship, and most serious mischief, by the corruption and ruin of the individuals who are so treated, arises from their not being sent back again to their own district. I think it would be very desirable that persons guilty of slight offences, or whose term of imprisonment did not exceed a moderate period, say about a year, should be necessarily, by a provision of the law to that effect, conveyed back at the expense of the county to the place from whence they came.

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Heads of a Bill for the Establishment and Management of Penal Reformatory County Farm Schools for Juvenile Offenders in certain Counties in England.—(Proposed by Jelinger Symons, Esq.) - - - - - - - - - - - - - - - - p. 481

APPENDIX.

Appendix, No. 1.

REPORT of Captain *Williams*, Inspector of Prisons, on Minute of Committee of Council on Education, relative to Establishment of Model Schools for Juvenile Criminals and Paupers, in connexion with the Training School for Masters at Kneller Hall. Appendix, No. 1.

Sir, Kensington, 13 December 1851.

I HEREWITH return the Minutes of the Council on Education, with other papers referring to the establishment of a Model Penal School for Boys convicted in the Metropolitan District, and in compliance with the directions of Secretary Sir George Grey, I beg to make the following observations thereon.

I must however premise, in the absence of any definite information as to the principle upon which the proposed penal school is to be founded, the system there to be pursued, or the final ends to be accomplished,—which last appears to me the key of the question,—that I can only offer my individual views upon the subject, resulting from an experience of 16 years as inspector of prisons in the manufacturing and metropolitan districts.

Institutions established solely for the education and disposal of delinquent children, which necessarily withdraw them from parental control and dependence, cannot, I think, be expected, like penal establishments, to exercise of themselves any moral influence; happy, indeed, if they do not encourage where they should deter, and this I am persuaded they would do were they general throughout the country.

Looking to the causes and circumstances to which this demoralisation of so considerable a number of the children of the humbler classes can be clearly traced, I feel persuaded that so long as their corrupting activity is permitted to remain unchecked, it is hopeless to expect that any material diminution in the number of such offenders will be effected by measures which are not preventive of the evil itself, but only curative of the consequences. A penal school under such circumstances can be nothing more than a hospital for the cure, but not for the prevention of crime, where, if all are cured but none prevented from the commission of offence, both the utility and morality of such an institution may be questionable. It is not my province to discuss the means by which the moral and physical condition of the humbler classes in large towns may be ameliorated or rather elevated; but I cannot but again express my belief that until such be the case, it is in vain to expect any material or permanent diminution in the number of offences committed by their children.

When the social condition of this class shall have made some advances to amelioration, I can conceive that such institutions as those now proposed would be more extensively beneficial than at the present time. In making these observations, I do not mean to be understood as depreciating the value of such institutions when established on a moderate scale, and as adjuncts to an improved system of corrective discipline in our houses of correction; but to guard myself from being supposed to participate in the expectations of the sanguine, that such influences can be solely depended upon for the suppression of juvenile delinquency.

By the Minute of the Council on Education, it appears that "Model Penal and Pauper Schools" are to be established on the Kneller Hall estate, and a sum of 5,000*l.* is appropriated to such purposes. I understand by this, that the two institutions are to be on the same site, if not adjoining each other. If such be the case, I unhesitatingly give my opinion that their contiguity would be fatal to the success of both. It has always been found impossible, with the requisite attention to health, to make any very material distinction in the food or even the treatment of able-bodied paupers in workhouses, and criminals under imprisonment. The distinction between a pauper and a criminal boy, in the proposed schools, would be still less, and their juxtaposition would provoke the most injurious comparisons; it would, in fact, slope the way to crime in the mind of the pauper, who would continually have before his eyes the spectacle of boy thieves sent to a school for instruction, in the place of a prison for punishment.

The advantage of training these boys to agricultural pursuits, over more sedentary occupation, is no less incontestable, on the ground of morality than of health, independently of other considerations, in which the important one of their future disposal is directly involved. Advantage of training boys to agricultural pursuits.

The

Appendix, No. 1.

Sites of Penal Schools.

Quality of land most suitable.

The site of a penal farm-school should always be sufficiently distant from a large town as to make it difficult of access to the curious and the friends of those under training; such visits are always attended with the most mischievous consequences. The land selected for cultivation should be of a light, but deep and easily worked soil, and most eligible situations for the purpose present themselves on the waste lands in the neighbourhood of Farnham and Bagshot, bordering on the South Western Railway. The situation of the Philanthropic Farm School at Reigate is also unexceptionable.

Emigration as the only efficacious means of final disposal of juvenile delinquents.

I have before stated, that I consider the final disposal of these boys to be the key of the question, and am moreover fully convinced, that if their moral and industrial training is not to be followed by their emigration to the colonies, the schools will be productive of no good results; for however severe or protracted may be the restraints of prison discipline, however impressive the lessons of moral and religious instruction, or however determined the resolutions of amendment, so long as they continue to be discharged from the prison or school to their own homes, they must and will again become the slaves of the same condition which caused them to commit crime, and their return to the same vicious courses in nine cases out of ten will be certain. A great proportion of these criminal boys, from the exciting scenes in which they pass their lives, acquire a degree of precocious sagacity, a restless spirit of activity and enterprise, with an eagerness for change, which, rightly directed, peculiarly fits them for servitude in the colonies. The great majority of the lads in the Philanthropic Farm School, when once impressed with the idea that a knowledge of agriculture will promote their temporal interests in the colonies, become docile, attentive, and eager to fit themselves for the coming change, which they anxiously look forward to as the beginning of a new life.

Vide Extract of Letter from a Police Magistrate, referring thereto, Appendix, No. 1.

After examining the various institutions which have been established abroad, and the single one at home, either by governments or societies for the reclamation of juvenile offenders, I do not hesitate to accord the preference to the one lately established at Rhuyssled in Belgium, and to the Farm School of the Philanthropic Society at Reigate in this country.

Qualifications of Superintendents.

The success of these societies almost invariably depends upon the peculiar aptitude of the individuals charged with their direction, and they frequently languish or fail after the decease or removal of their first superintendents, from the difficulty experienced in finding equally well qualified persons to succeed them.

The superintendent should possess that singular combination of enthusiasm and common sense, together with a profound knowledge of the world and an invariability of good temper, qualities which are rarely found united in the same individual.

Philanthropic Farm School.

The Philanthropic Farm School at Reigate is under the direction of the Rev. Sidney Turner, and no other individual could be found better qualified in every respect, or more devoted to its purposes. One of the most valuable features of this institution is, that it offers no temptations to abuse in the shape of abundant food, or what is not inaptly termed in prisons "soft labour." The food provided for the inmates is coarse in quality and frugal in quantity; wholesome and sufficient, but not abundant; the labour hard, but healthful; the bedding and clothing suitable; and the periods allotted for labour, rest, meals, moral and religious instruction are precisely defined, with no undue preponderance given to one over the other.

Moral difficulties to be overcome.

The first difficulty to overcome in the training of criminal boys is to convince them that good actions can possibly emanate from disinterested motives. Neglected or wholly abandoned by their parents or relatives, or enticed away from them by vicious companions, they become purely selfish, living only for themselves, and regarding all above them with suspicion or indifference. To obtain their confidence, which is the first and most indispensable step to success, the director of the school must personally study the temper and disposition of each individual, and for this purpose he must be made acquainted with his condition in life, connexions, previous habits, and criminal career. The confidence of the boy once gained, the director's task becomes comparatively an easy one. The national characteristics doubtless influence in some degree the aptitude of boys for these institutions; but the only difference I have been able to trace in the training of English and French boys, either in France or at the Philanthropic, is, that the former are less influenced by honorary distinctions as incentives to industry and good conduct than the latter. The distinction of inscription on the *tableau d'honneur*, as the reward of good conduct, would not be found by any means so powerful a stimulant with our English boys as with the French. English lads seem to require, both morally and physically, something more substantial than their neighbours. You may stimulate an English boy, when under training in these institutions, to habits of industry and good conduct by satisfying him that his temporal interests will be thereby permanently benefited; but any not directly profitable distinction in a school, which is only instituted for the temporary purpose of education, would be considered as of little value, and act still less feebly as an incentive to others.

National character influences the aptitude of boys for such institutions.

The number of boys to be received in a school.

To determine the number of boys to which such schools should be restricted appears a very important point. The fewer they are in number, the personal attention of the director is the more concentrated, and the good results the more certain, but the expenses are thereby more than proportionably increased. I have lately seen a letter from M. De Metz, of Mettray, which bears upon this point. He is of opinion that 250, or even fewer, would be more convenient to deal with than a larger number, did not considerations of increased expense interpose. I incline also to the opinion that the number in a penal school should be limited to 300.

Important results of the training of

The successful results of the experiment of training criminal boys in the Philanthropic Society's Farm School, even under all the disadvantages of recent establishment and organization,

organization, has solved several important and doubtful questions upon reformatory interference, and justifies the following conclusions: boys at the Philanthropic Farm School.

1. That reclamation may confidently be expected in a very large proportion of juvenile cases, through the agency of moral influences, good management, and superior superintendence.

2. That a farm school is most suitable for the purpose, being practicable both in respect to detention and control, and advantageous both as to their improvement and reformation.

3. That emigration, which forms one, if not the most important feature in the system, is an adequate and practicable means of disposal, and that the agency of a charitable institution, in distributing the boys quietly and unostentatiously, is less likely to excite prejudice in the Colonies than if their emigration were wholly undertaken by the Government; also, that the prospect of emigration is found to be a powerful motive to stimulate and regulate the conduct of the boys while in the school.

Many of the boys who have passed through this school were selected by myself from the London prisons, of which they were the constant inmates, and their perseverance in undergoing the training ordeal, with the ready means of escaping from the farm ever before them is highly encouraging for the future, and seems to justify the propriety of an extension of the law by which increased facilities may be afforded for reformatory interference.

I must now refer to a less satisfactory part of the subject, and express my regret, that the solution of these questions should have involved the institution in so large a pecuniary sacrifice, or that I could hold out hopes that such advantages could be extensively obtained without. Cost of such institutions.

Such schools cannot succeed on a medium scale, or under plain cheap masters. They may *possibly* do on a lower scale, but under a higher style of superintendence they are *sure* to do. The Philanthropic Farm School at Reigate, with less than 100 boys, involves nearly the same expenditure as a larger establishment without its extended usefulness, and is certainly objectionable on the grounds of cost. The society for the last two years has exceeded its income by upwards of 1,000 *l.* annually, the cost of superintendence and maintenance for a single boy amounting to 20 *l.*, to which is to be added 12 *l.* for a passage to Australia, or 5 *l.*, as the case may be, to other colonies, with 8 *l.* for outfit and contingent expenses, which swell the amount to 40 *l.* 10 *s.* per head.

It is quite clear that if the society were to continue its present rate of expenditure for any length of time with no accession of income, it would be in a state of insolvency, and I see no other means of avoiding it, than by increasing the number of boys in the school, thereby achieving a broader extent of good, and at the same time diminishing the costs per head for maintenance and superintendence. The increase of income from the extension of the numbers would no doubt go a long way, if not wholly cover the expenditure. The anxiety of the society to try the experiment has induced them to receive boys from the Government much under the actual cost of their maintenance. The last eight boys selected by me, and sent under conditional pardons from the Westminster House of Correction, will cost the Philanthropic Institution 160 *l.* before their reformatory training and emigration can be entirely accomplished, while their receipts from the Home Office will only amount to 80 *l.* Pecuniary difficulties of the Philanthropic Society, with suggestions for extrication.

I believe it to be the wish of the society, looking to the precarious character of its income from annual donations and legacies, that an arrangement might be come to by which the Farm School at Red Hill should be made the basis of the experiment proposed by the Minute of the Committee of Council on Education, either by means of a transfer, or union with the Government. The estate lately purchased has been paid for out of the society's capital; it comprises 150 acres, and any quantity of adjoining land, if required, could be procured either by sale, or on lease. The barrack for boys will lodge 120; the church and school-rooms are sufficient for nearly three times as many; the house for the superintendent, and the farm buildings, &c., are convenient, and in excellent condition. I should be disposed to recommend, from the peculiar facilities which the Philanthropic Society commands in quietly and unostentatiously disposing of these boys by emigration, and being further influenced by the successful management of this institution by the Rev. Sidney Turner, who is now completely restored to health, that some arrangement might be made between the Government and the society by which the school should be so extended as to receive 300 boys; the Government contracting to keep up such number, and paying for them at a fixed rate per head, together with the actual disbursement incurred on account of their final disposal. The average training of each boy occupying about 18 months, would allow of an annual admission of 200, and the yearly withdrawal of such a number of our juvenile offenders would be soon felt in the decrease of prison expenses, recommittals, &c. Proposed union of the Society with Government.

The income of the Philanthropic Institution, taking it at 1,200 *l.* per annum, should then as now be placed against the general expenses of the institution, and be taken into consideration in any calculation of the cost to be paid per head, while efficient and direct control should be exercised by the Government over the pecuniary and internal economy of the institution. A check should also be imposed on the gratuitous reception of boys, which at present greatly increases the expenditure.

I am quite of opinion that a scheme of this nature is practicable, and that if Secretary Sir George Grey should think proper to entertain it, the arrangement would be both convenient and economical on the part of Government, as the boys would have the use of the estate and buildings, which are valued at 25,000 *l.*, at no charge, the contract being restricted to the actual cost of superintendence and maintenance.

Appendix, No. 1.

Difficulties of sending boys to institutions from the state of the criminal law.

I proceed with the subject by showing the present extent of juvenile delinquency in the metropolitan district, and suggesting the means of obviating the difficulties which the administration of the criminal law interposes in the way of reformatory interference.

The annexed Return, No. 2, shows that in the counties of Middlesex and Surrey, for the year ending at Michaelmas 1851, the number of boys summarily or otherwise convicted, under 17 years of age, was 2,940, of which number 1,984 were sentenced to imprisonment for the first time. The Return, No. 3, from the Middlesex House of Correction at Westminster, shows the condition of the 244 boys imprisoned there on the 28th of July, the day of my inspection, in respect to their being deprived or not of parents or relatives, and this Return is followed by another, showing the number of times the same boys had been re-committed to prison, fully demonstrating how little care is, or perhaps in some instances can be, taken by parents in preserving their children from criminal pursuits; but to prove more strongly this to be the case, I have this day (the 11th of December) personally examined 213 boys in the same prison, and from their own admissions found that 95 were residing with parents or relatives at the time of their apprehension, while 118 were living disreputably away from home, chiefly in low lodging-houses, having either absconded from, or been abandoned by, their relations. I likewise append the particulars of several cases (*vide* Paper, No. 4) in further corroboration of my opinions, which among many others have come under the personal observation of Mr. Lawrence, the schoolmaster of the House of Correction, showing by inference how large a proportion of the offences committed by children are attributable to the vices, negligence, and poverty of their parents. These Returns may also be received as approximating estimates of the extent of the evil, not only in the metropolitan, but in other densely peopled and housed districts, where the same originating causes and the same propensities to crime prevail.

Inefficiency of penal laws.

That the penal laws are inefficient of themselves to check this disorder is proved by the unabating prevalence of the evil, and the almost countless recommittals of children to prisons.

Preventive justice.

In this evident failure of penal justice, it has struck me that a resort to what Judge Blackstone has termed preventive justice, might be more effective, and peculiarly applicable to juvenile offenders. In the 4th Book and 18th Chapter of his Commentaries, Sir W. Blackstone says, "It is an honour, and almost a singular one to our English laws, that they provide a title of this sort, since preventive justice is upon every principle of reason, of humanity, and of sound policy, preferable in all respects to punishing justice."

Again, "This preventive justice consists in obliging those persons whom there is a probable ground to suspect of future misbehaviour, to stipulate with, and to give full assurance to the public, that such offence as is apprehended shall not happen, by finding pledges or securities for the peace or their good behaviour. The caution we speak of at present is such as is merely intended for prevention, without any crime actually committed by the party, but arising only from a probable suspicion that some crime is intended or likely to happen, and consequently it is not meant as any degree of punishment, unless perhaps for a man's imprudence in giving just ground of apprehension." It is almost needless to add, that after this definition of preventive justice, I propose simply to revive the ancient, but once universal, practice of taking sureties for good behaviour, and to extend it to the cases of juvenile offenders. Little more is wanted than an Act requiring courts of justice and justices of the peace to take sureties for good behaviour in such and such cases, and authorising them to commit the party for one, two, or even three years, if the case as to age should require it, for the purposes of protection and education. A provision should also be introduced authorising the Secretary of State to dispose of prisoners so committed by sending them for education to some reformatory institution. It would be also necessary to extend the powers given by the 11th section of the 1 & 2 Vict. c. 82, to persons thus committed for want of sureties, which subjects juvenile delinquents who have been pardoned on the condition of entering a reformatory institution, and who abscond, or do not conform to the rules, to be recommitted to prison to undergo their original sentences, and also rendering them liable to three or six months' imprisonment.

In cases of forfeiture, the amount should be recoverable from the sureties before a magistrate, in the place of being estreated into the Court of Exchequer. The amounts of such pledges should always be fixed so as to be within the pecuniary means of the parties, for the humbler classes of people are always more sensitive when compelled to submit to a possible sacrifice than an impossible one, in the shape of an inordinate fine; in the latter case they shrug their shoulders, and make up their minds to do nothing but go to prison. I firmly believe that no sureties for good behaviour would be forthcoming in nine cases out of ten of these wretched boys, and in the few instances in which parents or friends would come forward, the fear of forfeiture would induce them to be more careful of their children. In default of sureties being found, the boy should be committed to prison, and placed in separation or in a probationary class for a period, not only to test his disposition, but to obtain information of his connexions and the particulars of his career in life, in order that if his case be satisfactory and promising, he may be recommended to the Secretary of State for removal to a reformatory school for education, during the term for which sureties are required for his good behaviour. In the great majority of such cases, I am satisfied that if assistance to emigrate were held out in the institution as the final reward of industry and good conduct, it would be gladly availed of long before their terms were expired.

The great obstacle to sending criminal boys under conditional pardons to such institutions as the Philanthropic Society, is the short term of imprisonment to which they are ordinarily sentenced, even after repeated convictions; there being no compulsory power to retain them in the institution a single hour after the term has expired, consequently, few but those under sentences

sentences of transportation, or for long unexpired periods of imprisonment, have been recommended.

In suggesting the extension of the old legal practice of taking sureties for good behaviour in the cases of juvenile offenders, I am the more induced to press this suggestion on Sir George Grey's consideration, from experience of how far preferable it is to adapt an existing law to the purposes in view, than seek to introduce an entirely new one, containing provisions of an unusual character, and founded upon principles to which public opinion and the House of Commons may be opposed, and of which the novelty alone would be, to many, a conclusive objection.

With reference to the practice of taking sureties for long periods, I am informed by a magistrate of great experience in the police courts, they have been taken for the life of an individual, and that in ancient times it was a much commoner and probably a more effective remedy, than it is at present, for many criminal tendencies and social disorders; it being now chiefly confined to breaches of the peace, sureties for good behaviour having fallen into disuse. The latter, which it is proposed to apply to juvenile offenders, differs from sureties for the peace, only as its name imports, by being made more general, and in being commonly taken on the complaint of several persons instead of a single individual, and by two justices instead of one, so that it was considered a more important proceeding.

To show how extensive was the operation of this process, and its peculiar applicability to the cases of juvenile offenders, a few out of the numerous circumstances on which it used formerly to be adopted, are subjoined:

1. Against such as lie in wait to rob, or shall be suspected to lie in wait to rob.
2. Against such as shall be of evil repute or fame.
3. Against all such as use to go on message of thieves.
4. Against cheats and couseners.
5. Against him who is acquitted of felony, if he be of evil fame.
6. Against whatever act or thing is in itself a misdemeanour.

For all these and many more cases good authority can be produced from Dalton and other approved text books, or from the statutes.

I have no doubt, that by the operation of such means, a considerable number of boys may be rescued and disposed of, free from the taint of transportation; but the dregs of the evil, the vicious by nature and inclination, who form a considerable proportion, would still remain, for whom nothing is left but the convict prison at Parkhurst and the ticket of leave in the penal colonies. Among other good results that might be expected, I think that sentences of transportation upon boys would be no longer influenced by "not knowing what to do with them," or that "they will be better taken care of at Parkhurst," but that this heavy penal infliction would be reserved for incorrigible cases or crimes of deep atrocity; and I further am of opinion, that it should be laid down as a principle that no youthful offender against whom such a sentence is pronounced, should be eligible for reformatory institutions.

That I may not be supposed to have overlooked a statute expressly framed to meet the evil under discussion, I feel it incumbent on me to refer to the 3 & 4 Vict. c. 90, entitled, "An Act for the Care and Education of Infants who may be convicted of Felony," which was passed in 1840. This statute authorizes the Lord Chancellor, upon application, to constitute other guardians in the place of the natural ones in the cases of infants convicted of felony, the applicants expressing their willingness to maintain and educate the minor until of age. The Act also makes it imperative that no such minor shall be taken beyond the seas or out of the jurisdiction of the court during the continuance of the guardianship. I believe there has not been a single instance of any application to the Court of Chancery to give effect to the powers conferred by this Act of Parliament. I have now touched upon the most prominent points of this interesting but perplexing subject, and I may conclude with the satisfactory assurance to Secretary Sir George Grey, that with reference to the metropolitan district, there never was a more suitable period than the present for reformatory interference in the cases of juvenile offenders. The corporation of the city of London, and the magistrates of the county of Surrey, have built two new Houses of Correction, on improved principles of construction, by which greater advantages are secured, both as to morals and discipline, than ever could by possibility be attained in their old prisons. The magistrates of Middlesex have also given effect to a recommendation for separating all convicted prisoners under 17 years of age from those of riper years, and have appropriated the House of Correction at Westminster for the reception of the former, with the further intention of introducing there a method of treatment more suitable to their period of life and circumstances. It may therefore be reasonably expected that the penal establishments in this district will become by their rigour a real terror to evil doers, however young in years or old in iniquity, and at the same time prove to be useful auxiliaries and the intermediary agents to reformatory interference, by rendering the consequences of crime distasteful to their inmates, and so incline their hearts and minds as to gladly avail themselves of every opportunity which may enable them to "go and sin no more."

I have, &c.

(signed) *W. J. Williams,*

Inspector of Prisons, Home District.

H. Waddington, Esq.
Home Office.

Appendix, No. 1.

APPENDIX.

No. 1.

EXTRACT of a LETTER from a Police Magistrate.

November 185 .

"I VERY much wish that you and all who take a part in promoting this important work could first visit the penal and industrial school for juvenile vagrants, lately established by the Belgians at Rhuyssled, near Bruges, (about four miles from the Blumeurad station, on the railroad to Ghent), under the able management of M. Poll: there are about 500 boys in this institution, who are sent there partly by the Government, partly by the communes; the farm attached to it exceeds 100 acres, and is cultivated entirely and profitably by the boys: to this large number of boys there are only 17 officers, masters, labourers, and servants included. The expense of each boy is 56 centimes a day, the Government allowing 60 for each boy they send; but the communes only 40. Almost the whole work of the institution in-doors, as well as on the farm, is done by the boys themselves, and very well done; they grow, dress, spin, and wear their own flax, wash, clean, &c. The simplicity, order, discipline, and cleanliness of this establishment is admirable, and far exceeds everything that I have seen in any other establishment of a like nature. The boys rise at five, and go to bed at eight; their fare is coarse, but good and plentiful.

"I am, however, well aware that in any attempt to imitate a foreign institution, large allowances must be made for peculiarities of national character. The Belgian boys (both Flemings and Walloons) are docile, submissive, and easily turn their hands to every kind of employment; they are also fond of military exercises, which greatly facilitate the establishment of a due system of order and discipline. The character of the English boy is very different, and must be differently dealt with; he is of slower capacity, less handy, more disposed to insubordination, and has much more of the valuable qualities of independence, self-reliance, and endurance, all making him more difficult to manage, but more valuable and useful ultimately.

"Before it can be determined what is the best course of instruction for a school of this nature, the destination of the lads when they leave it must be ascertained; in this respect England, in her shipping and colonies, has a great advantage over Belgium."

No. 2.

RETURN of Boys under 17 Years of Age, Committed to the Houses of Correction, in the Counties of Middlesex and Surrey, from Michaelmas 1850 to Michaelmas 1851; with the Number of Times they have been Re-committed, as far as the same can be ascertained.

PLACE.	PRISON.	Not Before.	Re-committed.				TOTAL.
			Once.	Twice.	Thrice.	Four Times or more.	
Westminster - -	House of Correction	1,289	364	128	54	152	1,987
Giltspur-street -	Gaol and House of Correction - -	164	20	10	2	2	198
Bridge-street - -	City Bridewell -	104	14	7	1	4	130
Brixton - -	House of Correction	353	91	31	27	36	538
Guildford - -	House of Correction	74	10	2	–	1	87
	TOTAL - -	1,984	499	178	84	195	2,940

No. 3.

No. 3.

RETURN of the Number of Boys in the Middlesex House of Correction at Westminster, on the 28th July 1851, showing their nearest existing Relatives.

Mother only.	Father only.	Neither Father nor Mother.	Mother and Step-father.	Father and Step-mother.	Father and Mother.
50	30	10	15	16	123

RETURN of the Number of Times the above Boys have been Committed and Imprisoned.

1st time	77
2d „	46
3d „	46
4th „	27
5th „	3
6th „	9
7th „	8
8th „	7
9th „	2
10th „	2
11th „	4
12th „	1
13th „	nil.
14th „	nil.
15th „	1
16th „	1

No. 4.

Cases of Boys in the House of Correction, Westminster, personally inquired into by the Schoolmaster, 5th September 1851.

Case 1.—Jeremiah, Cornelius, and Michael Hart, 15, 13, and 12 years of age. The mother of the above boys, when seen previous to their discharge from prison, stated that her husband had been drunk for nearly a week, and had pledged every available article in their possession for the purpose of procuring drink, and that the boys had no other resource but to thieve or starve; their home was in a most wretched condition, and the mother said, as a proof of her husband's brutality, "Look at the state of my face and eyes, now blackened from his violence when intoxicated. My boys have been previously imprisoned, the eldest in almost all the prisons in the country, entirely through the violence and dissipated habits of the father." Jeremiah on his discharge from prison was admitted into a refuge, Michael into the Philanthropic School, and Cornelius, after undergoing another imprisonment in the City Bridewell, was admitted into the House of Occupations.

Case 2.—John Lewis, 12 years of age. The father of the above boy, when visited by the schoolmaster previous to the boy's discharge from prison, was in such a state of intoxication as to threaten violence towards him. The boy stated that his father was an habitual drunkard, and frequently left him without food.

Case 3.—John Nicholls, 15 years of age. Upon inquiring for the mother of this boy, the schoolmaster was informed by members of her family, and also by the police, that she was a confirmed drunkard, and had been the cause of driving her husband and family from a comfortable home.

Case 4.—John Mahoney, 12 years of age. This boy has been repeatedly in this prison for stealing; his parents are habitual drunkards, living in Church-street, St. Giles's; they obtain their livelihood by selling fruit in the streets. An elder and younger brother have been repeatedly in prison. From the boy's statement there are six children, viz. three boys and three girls, who are obliged to get their livelihood by begging and stealing. N.B.—This boy (John) has since been transported.

Case 5.—John, Thomas, and James Cook, 16, 13, and 11 years of age. These boys have been inmates of this and other prisons repeatedly for stealing, and there are three younger children at home. The schoolmaster visited the parents on one Sunday evening, and found them with two females beastly drunk; the mother was lying down in one corner of the

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room, which was in a most filthy state. The schoolmaster was told by a person next door that they had been drunk and disorderly since the previous evening. N.B.—Thomas is now serving 12 months' imprisonment in this prison.

Case 6.—William Albert Rogers, 10 years of age. This boy having been found in a dwelling-house in Gerrard-street, Soho, with an intent to commit felony, was committed to this prison for six days; and the following month was sentenced to three months for having been found in the same house, and on his discharge from prison was sent to the committee of the Philanthropic School, but being under age was not admitted. He was then sent by order of J. Hardwick, Esq. to the workhouse, and from there to a school at Tooting, from which place he made his escape, only remaining 12 days. He has since been admitted into the Philanthropic Farm School, and is doing well. N.B.—His parents are separated; the father is a drunkard.

Case 7.—Michael Bryan, nine years of age. Sentenced to six months' imprisonment for picking the pocket of a female. The mother of the above boy is a confirmed drunkard, and has herself been imprisoned for that vice; she has another son who has been repeatedly in prison for stealing. Michael was admitted into the Philanthropic School on his discharge from prison.

Case 8.—The father and three sons of the name of Lewington have been inmates of this prison in consequence of the drunken habits of the step-mother, who has also been in prison. Application was made for the admission of one of these boys into the Philanthropic School on his discharge from prison, but without success; he has been transported since.

Case 9.—John Cronin, 16 years of age. Sentenced to two months for attempting to pick the pocket of a female. He was on a former occasion committed to this prison from Clerkenwell sessions, 2d February 1848, and then sentenced to six months' imprisonment for picking the pocket of a female of 18*s.* 10 *d.*, and discharged 31st July 1848; he has since that been committed to the City Bridewell for three months for attempting to pick the pocket of a female; and also to the Compter for three months for stealing 3*d.* from the pocket of a female, from which prison he had only been discharged four days; and, previous to the imprisonment of six months, he had been in Coldbathfields prison for two months for stealing some brass; also two days, and whipped, for picking the pocket of a female of 6*s.* 4*d.*; again, the 1st April 1849, for two months, for picking pockets; again on the 3d July 1850, for one month, for attempting to pick pockets; again on the 16th September following was tried at Newgate, and sentenced to four months for picking pockets; again on the 29th March 1851, for picking pockets; and the last imprisonment on the 3d of July, for picking pockets, and discharged on Monday last, 1st September.

N. B.—Father and mother both drink. The former is a labourer; the mother sells fruit in the streets.

Case 10.—James, William, Thomas, and Alfred Hurst, 25, 18, 12, and 10 years of age. The above boys have been repeatedly in prison for stealing. It has been ascertained that their father, who is a weaver, was accustomed to spend his earnings, which were considerable, in drink, and that he ultimately deserted his family, only occasionally returning home for the purpose of obtaining what money he could for the indulgence of that vice. The father, frequently drawing the money for work done by the mother and her family, caused them to be often without food. The master, for whom the mother worked, said, when she went to him to complain of her husband receiving the money, and leaving them without food, that he could not be pestered with family complaints, and took the work from them. The mother, finding that she could not support her family, broke up her home and went to service, leaving her sons to do the best they could for themselves. The two eldest have since been transported, and the other two have been admitted into the Philanthropic School.

Case 11.—William and James Liddle, 16 and 14 years of age. The mother of the above boys, when visited by the schoolmaster previous to their discharge from prison, informed him that her husband was constantly drunk, and had deserted her, and was cohabiting with another woman, and she was consequently unable to provide for her children. James, on his discharge from prison, was admitted into the Philanthropic School.

Case 12.—Thomas Taylor, 14 years of age. The parents of the above boy were seen previous to his discharge from prison, at No. 3, Bull-walk, Paradise-row, Chelsea. They said he had been from home for nearly 12 months, and did not know where he was until they were told by the schoolmaster. They appear decent people, and stated that the boy had frequently left his home for weeks together, and went begging and stealing with other boys. He himself says he was enticed from his home by a person who keeps a lodging-house in Jews-row, Chelsea, and who encourages the boys to steal, and buys from them whatever they offer for sale; he stated on admission into prison that he was destitute.

N. B.—This boy is at present in this prison.

Cases of Juvenile Offenders in the Middlesex House of Correction, at Tothill Fields, Westminster, recommended by the Inspector of Prisons for the Philanthropic Society's Farm School at Reigate, 26 July 1851. Appendix, No. 1.

———— 15; never in prison before, sentenced to six months' imprisonment, which expires 10th September 1851.

Father and mother alive, residing at ; father a journeyman baker, mother employed in making slop clothing; father earns about 18*s.* a week when employed. Three brothers all older than himself, and one sister married; none ever in trouble but himself. Went to the National School at Kingsland-road, Whitechapel. Says, "I ran away from school; I did not like schooling; was very well off at home with my married sister who I lived with; my brother-in-law he got out of work, and could not keep me, and I was sent home to my mother, and fell into the bad company of boys in Hackney-road. I left my mother's and went to a lodging-house in Shoreditch; I was a thieving about nine months; the lodging-house is down a court, and is kept by a Mrs. ——, who charges 3*d.* a night for lodgings; the largest sum I ever got was 3*l.* 7*s.* 6*d.* out of a woman's pocket; I spent it foolishly in sweets, and going to the play; I have been at the Garrick Theatre, the City of London, the Britannia, Standard, Pavilion and Sadler's Wells; I have, at times, stole from stalls and shops; I used first to follow boys, and see how they picked pockets, and seeing them well dressed, at least some of them, and with plenty of money, I did the same. I used to go to fairs; have been at Stepney, New North-road Fair, and Epsom Races; I went down to Epsom Races the day before, and finding they were all men there, and no boys, I did not think it would be worth my while to stop, so came away without doing anything; I used to work with another boy; I have been to church, and used to take my brother's children there; I was well dressed then, and was learning his business; he is a gunmaker. Picking pockets, when you get plenty of money, and can get to plays and buy oranges, is a happy life; I was never without some money on any day, which I got by thieving; when I got it, I used to go and spend it, and felt none the better for it; I was continually walking the streets, and gambling, playing at pitch and toss, and nick, with other boys; I never thought at all; I had no thought of God; all that I cared for was getting money, and spending it, and getting through the world the best way I could; I would be very glad indeed to go to the Philanthropic if I could get such a chance."

This boy has behaved well in prison, and is recommended by the governor and chaplain, and I concur in the recommendation.

———— 14; once apprehended on suspicion, but discharged; now convicted of picking pockets, and sentenced to 12 months' imprisonment, which expires 6th April 1852.

Father and mother alive; keep a chandler's shop, ; I have been at school, it was the National School; I used not to go there when sent, and used to spend the money given to me to pay for my schooling; I used to go into the fields with bad company; a lot of boys came and took me from home; I went with them to a lodging-house by Cates-street, Whitechapel, where the little boys are; I paid 3*d.* a night; my father found me out, and came after me; the woman's name who keeps it I do not recollect, but I shall in a minute; she keeps a beer-shop, and there is a skittle-ground; she minds the boys' money and all; I once gave her 8*s.* to take care of for me; she used to buy the things from the boys; she keeps a chandler's shop also; on Sundays they hold a judge and jury in the upper room, and plenty of boys and girls are there; I now recollect the woman's name, it is Mrs. H——; my father brought a policeman there with him, and said he would pull her house down; I have been very often drunk there; she keeps spirits, which she is not allowed to do; there is a fiddle there every night except Sunday; at the judge and jury they try the boys, and you pay a penny for a counsellor to speak for you, and another penny if you are found guilty. There are grown up men there, who take the boys out a thieving. The most I ever got was 5*l.* in a purse from a rich woman; I know she was a rich woman, for she had a bonnet with a veil hanging from it; it was in a purse, 3*l.* in gold, and 2*l.* in silver; I gave 3*l.* to Mrs. H—— to take care of, and she wronged me out of 1*l.*, saying I had only given her 2*l.*; I spent the whole in her house; I have been up all night tossing for money on the beds; I know Mrs. S——, she lives in Whitechapel; the boy W—— was at Mrs. H——'s; her daughter Moggy keeps the chandler's shop, and when a boy has had a lucky chance, she asks them to buy her a ring or a shawl. The boys used to come to my father's house, and shout out, "Tommy D——, come away," and the policemen used to bang them about, which I did not like to see, and I went with them. When a boy has a thing which is worth a good deal of money, Mrs. H—— will always buy it of him, but she won't have anything which is not good. The boys offer her the things; Mrs. H—— encourages the boys and girls there, which brought me away from home; I should not like to go into the streets again; I never picked pockets of such things as handkerchiefs, nothing but ladies' pockets of their purses. Mrs. H——'s daughter's name is Margaret; we call her Moggy; I once gave her a brass purse when I had been lucky, and got 2*l.* 10*s.* at one time; I was never sober a night at Mrs. H——'s; there is drinking, dancing, singing, smoking, and gambling always going on. The girls used to come and kiss me and nurse me when I was drunk, and had money; they used to put me to bed, and steal my money; I have spent as much as half a sovereign there of a night, in beer, ale, shrub, and cigars. When we went out in the morning

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morning, Mrs. H—— used always to say, "I wish you good luck, boy, to-day." Henry R——, who was transported last sessions, and his brother Johnny, live there and are great favourites. Johnny R—— hires carts and takes the boys to races. There are four streets there, leading from Whitechapel, where all are thieves, and not an honest woman among them. There were about fifty boys at Mrs. H——'s; if I was ever to go out from prison, I should be obliged to go a thieving again, for the boys would come and meet me a going out, and I should be transported; I used to be told what a lucky fellow I was, to be thieving so long, and not be taken up. I would willingly go to the Philanthropic, and should like to go abroad; I will engage to obey the rules of the Philanthropic if sent there.

This boy's career has been a most vicious one, but, like others of his class, he is the slave of circumstances, and has no appearance of being naturally vicious. His behaviour in prison has been good. The chaplain and schoolmaster and other officers of the prison speak well of him, and I recommend him, in the hope of his yet doing well.

————, 16; twice in prison; 1st. Tothill Fields, three weeks; 2d. ditto, six months. Imprisonment expires 16th December 1851.

Father alive, mother dead; father, a labourer in the Docks, resides at ; I was at school at Whitechapel, and run away a thieving with other boys; I had the money to pay my schooling with when I run away; I lived in lodging-houses; I lived at Mrs. C——'s, in Cate-street, Whitechapel; always a heap of boys there, should think 100; about 40 slept in the same room with me, all thieves; I was there about a month, and paid 3*d.* a night; I have been thieving about 18 months, and have only been caught twice; I have done about 60 robberies in the 18 months; the most I ever got was 1*l.* 15*s.* 6*d.*, from a woman's pocket in Whitechapel. I have never been in want the whole time. Mrs. C—— used to buy things. I have picked more women's than men's pockets, though it is more difficult. My father, when I was at home, used to send me to church, but I did not go; he asked me the chapter, which I could not tell him, so he found me out; he never knew where I was until I was taken up. I did lead a merry life, but I used to say often to myself, when I was going to pick a pocket, "I may be caught this time and transported, but I pray to God I may be lucky, and shall not." I do most truly want to get away from bad company; would be glad to go abroad, or anything to get me out of it.

I believe this to be a well disposed lad, and, with the concurrence of the officers, who also speak well of him, I recommend him for trial.

————, 11; four times in prison; 1st. Tothill-fields, seven days and whipped; 2d. Tothill-fields, three days and whipped; 3d. Coldbath-fields, two months and whipped; 4th. Tothill-fields, two years. Imprisonment expires 2d July 1852.

Step-father, a blacksmith, ; mother alive, who goes out washing; four brothers and one sister; one brother now undergoing a sentence of imprisonment in Coldbath-fields; step-father drinks, mother respectable. This boy has lately recovered from a serious illness in the prison. His mother visited him when in the infirmary, and openly expressed a wish for his death, as she was sure he would be transported. His elder brother takes him away, and covers the younger when picking pockets. The boy states, "I have been thieving three or four years. I went to school near Oxford-street. I first began to steal apples with other boys, and then to pick pockets, being taught by my elder brother how to do it. I saw him do it first. Have always lived at home, except when I went to the plays, which was about once a month. Has been at the Victoria Theatre, the Bower Saloon, and at the 'gaff'* in York-street, Westminster. Has got from three to four pounds from a lady's pocket. It is easier to pick a gentleman's than a lady's pocket. The reason is, if she has a light dress on, and a heavy purse, she feels the weight of the purse, and you must lift her dress, which makes it difficult. I bought clothes, and lived upon sweetmeats and pies with the money: always gave my brother three parts of it. We pawned the things, and used to chew the duplicates in our mouths, and spit them out anywhere. My mother has tried to keep me in, and has beat me; my step-father drinks. At times I have got clear off with as many handkerchiefs as I could carry, stowing them away in my trousers, and down my legs. I have been learning shoe-mending here, and would behave well if I was not put to stabbing (*i. e.* to patching work). I want to learn to make shoes, not to mend them."

* Cant name for penny theatres.

This boy is remarkably intelligent and acute; has made considerable progress, and is very attentive in the school, and is greedy after knowledge. His temper is uncertain, and he is very difficult to manage, particularly in a prison. He has been wholly led away by his elder brother, and would, I think, if well looked after, and his peculiar disposition studied and treated accordingly, turn out well, or perhaps better than well. He has narrowly escaped with his life after a severe illness, and manifests a disposition to go abroad, and avail himself of the present opportunity of being admitted into the Philanthropic. The chaplain thinks the experiment should be tried, and I am of his opinion.

(signed) *W. J. Williams,*
Inspector of Prisons.

Examinations

Examinations of Criminal Boys in the Middlesex House of Correction at Westminster, recommended by the Inspector of Prisons for reformatory training at the Philanthropic Society's Farm School at Red Hill, 28th April 1852.

———, 16; six times in prison; 1st. Coldbath-fields, 14 days; 2d. Tothill-fields, one month; 3d. ditto, seven days; 4th. ditto, two months; 5th. ditto, one month; 6th. ditto, six months. Imprisonment expires 25th July 1852.

Neither father nor mother; father was a carpenter; resided at . He died in November 1847, of consumption. Mother died in December 1849; supported herself by shoe-binding after my father's death. Has two brothers, one in pauper-school at Mitcham; the other, between 17 and 18, is at work at a provision store, in the neighbourhood of Barking, but does not exactly know where. My mother died in the workhouse, having been ill for some time, and unable to get her living. I left the workhouse on her death; I was not allowed to stop there, and had a desire to go to sea. My father educated me, and taught me to read and write. I used to go to the Catholic church; my mother was an Irishwoman, and a Catholic; my father belonged to the Church of England. I used to get occasional work at landing stores from the shipping. I lived with an acquaintance of my mother, paying her 1 *s.* 6 *d.* a week for my lodging, when I had money. The work was not constant, and I picked up with two or three boys, and went a thieving; stealing provisions, and other articles from shops; the most I ever stole at one time was a coat, for which I got 17 *s.* I have been only three times at the play in my life; the "Pavilion." I have been to sea. When I went out of prison last July, there was a collier, the "Earl Grey," of Hartlepool; she was lying in the tier; they wanted a boy, and took me, on my offering, directly. I had 10 *s.* for the first voyage, and 17 *s.* a voyage afterwards. I went six voyages; I wanted to be an apprentice, but the owner would not have apprentices, and I left the ship. It was foolish my leaving; I went thieving again, and was only at it four nights before I was brought here again. I lodged at S——'s in Mill-yard, Whitechapel. It is not a thieves' house. I only know five or six boys who are thieves; I went a thieving generally by myself; I could not always earn my living by thieving. I never thought of being transported until I was caught; I am very desirous to go to the school; will be glad to go abroad, and promise to conform to the rules.

The governor and chaplain speak highly of this boy's conduct in prison. I think it a favourable case, and recommend him for conditional pardon.

———, 16; never in prison before; sentence, to four months' imprisonment, Tothill-fields, for stealing a suit of clothes. Imprisonment expires 7th July 1852.

Father alive; mother dead. Father, a painter and paper-hanger, resides in Father is living with a woman, but is not married to her. He is a very drunken man, and she drinks also. I have one brother a painter and paper-hanger, to which business I have been brought up. My sister is on the town; I have not seen her this 12 months. I can read and write a little; I used to go to church on Sunday. My father never attended those places; he is no scholar. He used to earn a great deal of money. He is very clever, and all the builders like to get hold of him, but he drinks, and that is how he loses his work. My mother died about four years ago, and nine months afterwards he got another woman. He has had four different women to my knowledge. We had but one room among us all, and it was this that drove my sister away, and made her go on the town. I never was in any other prison or court in all my life. I never had regular work, but occasionally got a job at G——'s, the paper-hanger, at I could earn 1 *l.* a week at piece-work, it being 6 *d.* a piece for hanging. My father beat me; he was quite tired of me and turned me out. I slept in stables, in close by. My father would send for me occasionally when he wanted a job done for him. I once lived at a lodging-house at . I paid 2 *s.* a week. I remained there a month, while in work. When I owed him a week's rent, being out of work, I told my landlord I could not pay. I asked him to let me remain, but he said they were poor people and could not let me; so I was obliged to go again to the stables. I was hired for a day's work, at a shilling, to carry out coals in for a greengrocer. I was very ragged; went down stairs, took a suit of his clothes and pledged them for 17 *s.*; with the money I bought a pair of shoes and trousers. The theft was not discovered for two or three days. I was then apprehended and taken to Marlborough-street. I confessed the theft and pleaded guilty. This is the only theft I ever committed in my life. My father has wholly abandoned me. My mother has been dead for four years. My father ill treated my mother when she was ill. My mother used always to make us say our prayers. I would be most willing to go to the school, and go abroad. I will conform most willingly to the rules.

I unhesitatingly recommend this boy for the school. His conduct in prison has been good. It is altogether a very sad case, his lapse from rectitude being clearly traceable to his father's misconduct.

 ———, 15;

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————, 15; thrice in prison: 1st. Tothill-fields, 14 days and whipped; 2d. Ditto, six months. Imprisonment expires 22d August 1852.

Neither father nor mother; mother died when he was two years old; father a butcher by trade; lived at ; with his aunt , a washer-woman; my father died of consumption while I was at sea; I was in the Chelsea Union; my father abandoned me, and my sister put me in the union; I have four sisters, all in service; I only know where one is; she is at a confectioner's at the foot of ; I was sent from the union on board of a fishing smack from Barking; I was there about 18 months; I was bound apprentice, and in the winter when it was very cold I ran away; I got among a set of boys, and slept in cellars; I lived with my aunt a little while, and occasionally in lodging-houses; I have been thieving about eight months, generally stealing shoes and provisions from shops; the most of value I ever took was a pair of shoes for which I got 7 *s.* 6 *d.*; I lived mostly by begging; I have often been without food; I want to get out of thieving, and would willingly go abroad; would be glad to go to the Philanthropic, and promise to behave well there.

This boy is recommended by the officers of the prison. I think it a promising case, and recommend him.

————, 14; seven times in prison: 1st. Robbing his father, Coldbath-fields, 14 days; 2d. Robbing his father, Coldbath-fields, seven days, and whipped; 3d. Attempting to pick pockets, Brixton, seven days; 4th. Stealing bacon, six months, Tothill-fields; 5th. Compter, three weeks, attempting to pick pockets; 6th. Tothill-fields, two months, picking pockets; 7th. Tothill-fields, six months, picking pockets. Imprisonment expires 31st August 1852.

Father a journeyman tailor, residing at ; step-mother; own mother has been dead four years; three brothers by first wife, and one by second. Father drinks, and is generally drunk on Saturday nights and Mondays; step-mother drinks too; when I was at home, he used with another man to earn 2 *l.* 10 *s.* a-week. Was at the National School; can read and write; did not go to church. Step-mother used to beat me; and one day, when my father and step-mother went out, I went up-stairs, and stole 4 *s.* 9 *d.* from them, and ran away. My father heard from some boys where I was; I was in Smithfield; the boys brought me home; I was then about 12. When I went home my step-mother kept me in-doors, while my father went for a policeman; I had spent all the money, and went to the Albert Saloon. I used to live near Smithfield, where there are a lot of boys who sleep about the pens; they wanted me to take a coat and other things from my father. I got 14 days, and when I came out of prison was at home for a week. My mother wanted to beat me. I ran up-stairs, and took my father's handkerchief, a black silk one. I went with another boy, and tried to sell it; my father met me, and took me to the police again, when I got seven days and a whipping. When I came out of prison, I sold my shoes for 10 *d.* I went home the first night, and my father gave me a good beating; he took the money I got for the shoes, and got them back. I then worked with my father at tailoring, and stayed at home a good bit, until a fair day at Stepney, when I ran away with some boys. On my return from the fair, a boy took me to a lodging-house in King's Head-court, Shoreditch; it is called the White House. The boy went out and stole some bacon, which paid for our lodging. The next day we went with a lot of boys to Croydon fair; when there I picked a gentleman's pocket of a handkerchief, but was seen by a police-man, who was in a sailor's dress, and I got seven days at Brixton; I had been taught to pick pockets by a boy named Sheen. I lived after that quite away from my father; I became a regular pickpocket; the most I ever got at a time was 1 *l.* 15 *s.*; I generally picked ladies' pockets. I was never drunk, but have drunk gin and beer in the lodging-houses; most of the boys smoke; have been at a great many plays; been to the theatre about once a-week; frequented the Standard, Queen's, Albion, and Princess's theatres. I used generally to pick pockets in the Strand. There was a young man and another boy with me in the Strand this last time, when I was caught by a policeman; the young man taught me to pick pockets. I lived at Mrs. D——'s, who keeps a chandler's shop and lodging-house, where thieves resort. I wish to get out of this life, and would be most glad to do anything that would get me out of it. I promise to behave well, and would be glad to go abroad; my father would very much like me to go.

I recommend this boy; he has behaved well in the prison, and, I believe, is tired of his wretched mode of life.

————, 15; four times in prison; 1st. Tothill-fields, one month; 2d. ditto, one month; 3d. ditto, one month; 4th. ditto, twelve months Imprisonment expires 25th January 1853.

Father alive; was an ironmonger, residing in , and once in better circumstances; is now a poor labouring man in the Union Workhouse; step-mother, who is also in the Union; one brother and a sister-in-law; neither ever in trouble. His brother is taken care of by his aunt, and is working in a black-lead manufactory. I have seen my aunt

aunt and brother since I have been in prison. Was at National School; can read a little, but not write; I have also been at work at a black-lead manufactory, earning 4*s.* 6*d.* a week. My mother-in-law caused me to get into this trouble. When we lived in , my father took my wages, and gave me 4*d.* a week for myself. Step-mother would not give me enough food, and said I was able to keep myself, and too big to remain at home. We had but one room. My father's age is about 50, my mother about 30. I got so weak from my step-mother not giving me sufficient food that my master discharged me as unable, and got another boy; I then went to Mr. T——, a costermonger, for a shilling a week, with my grub and lodging; he lived in ; when his customers pulled the things about and tasted them, I told them of it, and they complained to him that I insulted them, and he turned me away. My mother would not take me in after this, and I slept in stables and anywhere I could with a lot of other boys; I then stole a piece of plank, and was apprehended for it when trying to sell it; I got a month. I came out of prison, went home, and asked my mother to give me some grub, and take me in; she refused, as also did my father, who said it was not in his power to take me back, or he would do it. I then went about where I could, often without food; was never in a lodging-house; generally slept in stables; I used also to beg a good deal; I also stole some lead, and at another time a brass candlestick and some weights; I was caught for the lead, and got another month. After coming out of prison, I went to a Mr. K——, who hawks hearth-stones and Bath bricks about the country in a cart; I told him I would behave myself if he would take me; he lives in , and knew my father; he took me, and gave me clothing, lodging, and grub; I went about the country with the cart; I then got along with bad boys, who were playing about the neighbourhood; they gave me a lot of bracelets, fifteen pair, for which I was taken, and sentenced to twelve months' imprisonment. The bracelets I had were valued at a pound; I sold two pair to Mrs. B——, a woman who buys things from boys, for 4*d.*

I will do anything in the world to get out of this life; I am very anxious to go abroad; I most truly promise to behave well if allowed to go to the school.

The governor and chaplain recommend this boy strongly, and I support their recommendation.

——————, 15; six times in Tothill-fields Prison: 1st. Seven days and whipped; 2d. Fourteen days; 3d. Three days and whipped; 4th. Three weeks; 5th. One month; 6th. Six months, stealing a decanter. Imprisonment expires 25th July 1852.

Father alive, a shoemaker, residing at ; step-mother employed in shoe-binding; four sisters, three brothers; father been in Coldbath-fields Prison for three months, for pawning his master's goods; one of his brothers was imprisoned for one month for the like offence; his own mother has been dead above a year; my father had left my mother for six years, and took up with another woman; he has since turned this woman out, and got another, who I call my step-mother; I lived with my own mother during the time my father was in prison; she kept two of us, living at ; she used to do a little shoe-binding, and lived upon that, and what she could get from my father, a shilling or a sixpence at a time; he was taken before a magistrate, and ordered to pay 5*s.* a week to my mother; he drinks a little. Prisoner has been at the National School, , for a little time, but now can neither read nor write; his father would not let him stay at school; has been brought up to the shoemaking business; I left my father before my mother's death, and lived with her; when she died, I lived in the streets; have lodged in Flowery Dean-street, at a man's called D——; and also for three months at Mrs. S——'s; all thieves and beggars in these houses; I used to go out thieving every day, and Mrs. S—— used to buy the things of me when I came home; I went chiefly about the markets, and stole meat; Mrs. S—— told me of the best places for me to go and thieve; I have been at the plays; at the Standard, the Britannia, the Albion, the City, and the Pavilion; I have been thieving about three years; I never drink, nor had a pipe in my life; three of us boys used to thieve together, and generally made between us 1*s.* 6*d.* a day; but we got so known to the police, that I went out by myself, but did not do so well; I have often been without food; I wish very much to get away from this life; I would be glad to go abroad, and would be happy to go to the school; I am much better off for food in the prison than out, but would rather be in some place where I could be kept from lodging-houses, which are the ruin of boys.

This boy has a good character from the officers of the prison, he is intelligent, and I recommend him.

(signed) *W. J. Williams,*
Inspector of Prisons.

Appendix, No. 1.

Minutes of the Examinations of Criminal Boys in the Middlesex House of Correction at Westminster, recommended by the Inspector of Prisons for Pardons conditional on their entering the Philanthropic Society's Farm School at Reigate.

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1. ————————, 16; Coldbath-fields once; Tothill-fields 10 times, and sentenced to be twice flogged; sentence of 12 months expires 1st of April 1852.

Father a gasfitter; step-mother residing at ; says after his mother's death his father married again; his own mother was a very drunken woman, and was imprisoned for a month here on one occasion. My step-mother would not let me or my brother out, and said she did it for our good; my brother and I during our first mother's lifetime used to go out, without shoes or stockings, and people used to give us things, and chuck us pence; a little before 1849, after my mother's death, I ran away; the first night I run away I did not know where to sleep, but I met my brother, and he took me home; my father gave me a good beating, and took my clothes away to prevent my getting off; he tied me hand and leg to the bedstead during a week, allowing me to go to bed at night; I had only my shirt on all day when tied to the bedstead; it was in the summer time; at the end of the week my mother said, if I would behave well she would untie me, which she did; I was kept in a room the next week cleaning knives; a week after this I went off; I had been begging before, but never thieving; I went to a lodging-house in Chelsea, Mrs. D——'s, at ; there were about 14 boys there, and a number of women and men; when I left home I went with the boy Darkin, and with Eyre, who is now here; I was caught stealing milk, and was imprisoned four days and whipped; I then went about thieving and begging for nine months; I principally begged; the most I ever got in a day was 1*s.* 6*d.*; the lowest sum 2*d.*; it was not often I got less than 6*d.* a day by begging; I was caught at the end of about nine months stealing 1½ lbs. of mutton; I took it to pay my lodgings, and should have sold it to Mrs. M——, Chelsea, who buys such things; I have sold her many things, such as bread, cigars, meat; I never picked a pocket in my life; I only robbed shops; I was sentenced to six months' imprisonment, and when that was out my step-mother brought me a suit of clothes to the prison, and took me home; I stopped at home about three weeks, and then went away thieving again, and went to Mrs. G——'s lodging-house in Pye-street, Westminster, which he was told of by a boy named James Cooke, a thief; he lived there for about three months, and was taken up for stealing some glasses in the Victoria-road, and had six months; after that returned to Mrs. G——'s; she said she did not then take in boys; she said, "There are none here now, but go to Mrs. F——'s, who lives at No. , close by, in Pye-street-court." I went there, and found all the boys; I was out of prison for about three months, living by selling fusees and thieving; was then taken up for stealing two cakes from a baker's shop, and got a month; after that I went to Chelsea, knocked at the workhouse door, and asked to be taken in; I then wanted to leave off thieving; I thought I had done so much thieving I did not like to do any more; I went straight from this prison with two other boys, James Cooke and William Taylor; we all went to the workhouse together, and they took us in; Cooke, when he got inside, was frightened, and wanted to get away over the wall; we all went before the Board, and they kept us there; I told the gentlemen, and so did they, that we had neither father nor mother; I said my father and mother died in Maynard's-yard, and that I had been living at Windsor; I had formerly been at Windsor at the Queen Dowager's funeral; I went there begging, and could answer questions about the place; the other boys told similar tales; they gave us new clothes, and set us to chopping wood; Cooke did not stop there above three days; after being at Chelsea workhouse for six weeks they sent Taylor and me to the establishment at Penge Common near Norwood; I was there four months; I got leave to go and see my brother, and at Chelsea met some boys, who I played with; they said they were hungry, and took two quartern loaves from a baker's truck, and was caught, and sentenced to 12 months' imprisonment in this prison; I have never stolen money, only provisions from shops, and such like; I have often been told at the lodging-houses, "Why don't you steal something better than what you do?" My father does not know I am here; I was never in drink in my life; I have been at the penny play in the New-cut; I have never picked a pocket; the boys showed me how; they told me to hold the tail of the coat up with the hand, and put the other right; I was afraid to do it, and the boys called me a "damned paltry nailer;" I have seen plenty of boys drunk at Mrs. F——'s; I wish, indeed, to quit this life; I would be happy to go to a school, and be very glad, indeed, to go abroad.

This boy has behaved well in prison, the officers think well of him, and he seems most anxious to go to the Philanthropic. I recommend him for conditional pardon.

2. ————————, 15; Compter, three times; Coldbath-fields, once; Tothill-fields, twice. Twelve months expires 6th April 1852.

Father was a tailor residing in Saffron-hill; he has run away; does not know where. Mother has been transported for stealing or receiving stolen plate about four months ago since he has been in prison. Has three brothers and two sisters, two brothers younger than himself; two sisters, both prostitutes; one has been locked up in the station, and the other had a month here. His eldest brother is a paper-stainer, and employs his two little brothers.

brothers. "I used to go to him when I got out of prison, but he flogged me so when I worked for him. He would behave well to me for a week, and then begin to knock me about, and I ran away for good. I first took to thieving when my father went to live at Saffron-hill. I began by stealing meat from the butchers' shops and stalls, and have gone on from that. I have lived in lodging-houses; at Mrs. G——'s in Westminster, and at G——'s in Union-court, Holborn-hill. There used to be about 20 boys there, with plenty of girls and men. Have been a good many times to theatres; have been to Sadler's Wells, Albert Saloon, and many others. I only pick pockets. I first began with a boy named Shaw; I used to take the things, walking a little way from him, when he got them. Shaw had a woman who lived with him, called 'Little Nell;' he was about 18. I have kept a girl called Long Nell, about 16, and also Julia Higgins, who was 17. Julia had six months here. I have often been drunk in the lodging-houses; we used to have rum and shrub; many boys are in the habit of getting drunk. I have had the bad disease; another boy had it at the time, who went to the doctor's, and he gave me some of his stuff, which cured me. I have taken, I think, nearly 50 handkerchiefs in one day, for which I had 16 *s.* I could generally get from one day to another about 14 *s.* I never much practised taking purses, only handkerchiefs. I was reckoned very clever in taking handkerchiefs. I once passed bad money which I received from another boy; there was about 2 *l.* 10 *s.*, which we passed between us, mostly to a costermonger near Billingsgate. The boy got the money at a public-house in Drury-lane; he used to go into the cellar there, and gave about 2 *d.* for a shilling. There is another house, a public-house in ; it is a public-house opposite a shoe-shop, and I believe has a lamb outside. In the Compter, when at chapel, they used to make a mockery of the Commandments, and reply, 'Lord have mercy upon us, and incline our hearts to feed jackdaws.' I went to the Ragged Dormitory in Pear-street, and stole a pair of boots there and ran away, for which I am under imprisonment. I want to leave off thieving; I would willingly go to the Philanthropic, and go abroad; I will be honest; I really want to get away from thieving."

The chaplain seems to think this a case which may do well; the boy is wholly destitute. It is a doubtful case; but he pleads hard, and declares himself resolved to do better, and is quite willing to go abroad; he also seems much impressed with the dread of transportation, which he is well aware will be the consequence of his next conviction. This experiment will test the efficacy of the Philanthropic, and I think it well worth the hazard. I recommend him.

3. ————————, 16; never in prison before; sentenced to six months' imprisonment.

Father alive; mother dead; when, beyond his recollection. Father works in the London Docks, and resides at ; father earns 2 *s.* 6 *d.* a day in summer, 2 *s.* 4 *d.* in winter. Was at Catholic school in King David-lane, and have been to a Sunday Protestant school; has occasionally worked as a paper-stainer and French polisher; lives in a lodging-house near Whitechapel, in street; there were only two boys there. The man's name who keeps it is ; he works in the London Docks; I do not think he would let me be there if he knew I went a thieving. The wages I got at the paper-stainer's where I worked was only from 3 *s.* 6 *d.* to 4 *s.* 6 *d.* a week. I got along with bad boys, and went a thieving. Saxton and Onslow were the two boys who worked with me; Onslow is here now, and has been once before; we went picking pockets; I lived with him about two months. The first time I ever picked a pocket was in Rosemary-lane. I have been taken up three times, remanded, and discharged; the largest sum I ever got was 10 *s.* I worked with Saxton and Onslow, generally getting from 5 *s.* to 6 *s.* a day between the three; I have been engaged for 12 months in thieving. I was first led away by a boy called Stephen Powers, who lived in the same street. I know about 20 boys who are thieves. I never picked a lady's pocket; some boys do nothing else. I used to sell the handkerchiefs I got in Petticoat-lane. I really would do any thing sooner than continue in this life; would willingly go to the Philanthropic, be obedient and industrious, and be very glad to go abroad.

This boy has behaved remarkably well in prison, is recommended by the chaplain, does not appear to have been very deeply steeped in crime; and I concur in recommending him for the Philanthropic.

4. ————————, 16; never in prison before; sentenced to six months' imprisonment, which expires the 16th of May.

Father dead; mother alive, employed in washing, residing at ; has three sisters and two brothers-in-law; father was a labourer; been dead eight years; has been at Catholic school, and can read and write; is imprisoned for stealing 5 *l.* from a tin box. I went to live with my sister at Mrs. D——'s; I had taken a pair of boots from my mother's, and was afraid to go back to her; I got 2 *s.* for the boots, and spent the money at the Britannia Saloon. A labouring man, who had just come from America, lodged in the house, Mrs. D——'s, where I was with my sister; and I took five sovereigns from his box; I ran away, and went to the plays, stopping at a coffee-shop close to Astley's Theatre; I went to Gravesend, to the fair there, where I met a boy called Charles Kelly; I got very drunk, and found myself in a bed at Gravesend without a farthing. I walked up to London, and was taken while knocking at my mother's door;

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door; she was not at home; I was tried and sentenced to six months here. I will most willingly do anything to get out of this life; would be glad to go to a school and learn something, and then go abroad.

This boy's case is similar to the preceding one; he appears to be almost a novice in crime, and may be expected to turn out well from the Philanthropic, to which I recommend him.

5. ————————, 16; Compter, once, 14 days, solitary; Tothill-fields, 3 months; Tothill-fields, 12 months: expires 14 June 1852.

Father and mother alive, residing at ; bonnet-shape makers; has five sisters all younger than himself. I have mostly lived with my two maiden aunts, who are artificial flower makers, at 33, Bread-street. I was sent by my aunts to school to Shrewsbury Academy, Bunhill-row. I asked to go to church with them, and learnt their business. I used to be sent to collect bills for them. I used to take the money and run away to theatres and lodging-houses. I had no particular inducement to behave so badly. I was well fed and kindly treated. John F—— was the boy, who is since transported, who first led me away. I was walking about the streets when I first took money; he came up to me and asked me what I was doing. I told him I had come away with 1*l.* 18*s.* 6*d.* He took me to a lodging-house at Wentworth-street, Whitechapel. He joined with me, and when I had spent all my money he left me and I went home to my aunts, who took me in again; I behaved very well again, and they got me into a Sunday School Institute, where I was employed during the week with the librarian, for which I received 2*s.* 6*d.* One day when he was at dinner, I broke open the till and took 3*l.* 12*s.* 6*d.*; it was on Whit-Monday; I ran off to Greenwich Fair. Well, two days after, my father found me at Greenwich; I had slept in the open air all night, not being able to find another place. I had only spent 10*s.*; the remaining money was found upon me. I was summarily convicted and sent to the Compter, in solitary, for 14 days. I went home to my father, who kept beating me until I run away; I was in the streets for three days, sleeping where I could, sometimes in carts, and was taken up for stealing a cloth cap from a child's head, and was imprisoned for three months. When I was discharged, I went to my aunts, who would not receive me, and my father told me as I had been thieving, I might go again. I was begging and wandering about for three or four days, and went to the City-road, and Mr. D——, a cabinet-maker, seeing me in rags and destitute, took me in, gave me some dinner, and made me sleep upon some shavings. The next morning he asked me if I would work; I replied I would, and remained there between two and three months, he boarding me, and my aunts sending me some clothes. I robbed him of 9*s.* 6*d.*, and was sent to the Old Bailey, and sentenced to 12 months' imprisonment. I have no where to go when I go out; I am sure I shall be transported; I really wish to do better; I will most willingly go to the Philanthropic and conform to the rules; I wish to go abroad.

This boy is most prepossessing in appearance, but I doubt his ever being steady. He is weak and readily gives in to temptation. When the Rev. Sidney Turner saw him, he recognised him as having been previously at the Philanthropic, where he had been sent when younger by his aunts, who took him from the school after a short stay. He was much thrown aback at being recognised, and endeavoured to excuse his suppression of the truth by saying, that he feared he should not be received there again if it was known. The schoolmaster states that he had seen his mother, who said he had lost good chances; she appeared to be very poor and quite unable to provide for him.

After much consideration with the Rev. Sidney Turner and the chaplain, I have resolved to recommend him for the Philanthropic, although very doubtful of the success of the experiment.

6. ————————, 17; never in prison before; sentenced to 12 months' imprisonment for housebreaking.

No father or mother; father was a gentleman's coachman; lived in Clerkenwell, and died about six years ago; his mother died three years ago; has eight brothers and sisters; one brother married, who is an embosser, living at , says, "I lived with my mother, after my father's death, and worked as a book-folder with Mr. Watkins, and left there not being strong enough; then I went to a pork-butcher, and used to pull the engines with which they cut the meat for sausages; I got 3*s.* a week with lodging and food; I did not suit my master, not being strong enough to pull the engine, and I was discharged; I returned to my brother out of work; I knew a boy named Greene, who lived close by; Greene asked me if I would like to get into the pawnbroker's who lived in the same court; I said, yes; we opened the shutters; they were bolted, and Greene forced them with a poker he had with him; we got out a piece of cloth; we were seen getting out by some of the pawnbroker's people; it was about nine o'clock in the evening; we hid ourselves, but were taken three days after; I was at an infant school, but have never in my life been at church or chapel; I have never been engaged in any other robbery; my brother would not and could not do anything for me; I will go to the Philanthropic if you will let me; I want to go abroad.

This is a stout, heavy looking lad, dull and slow in comprehension; he has been but a very short time engaged in criminal pursuits; he has but little to unlearn, but a great deal, if not everything to learn. I recommend him for the Philanthropic.

7. ————————

7. ————————, 15; 10 or 12 times in Coldbath-fields Prison; four times Tothill-fields ditto. Appendix, No. 1.

Father and mother alive, residing at ; father a costermonger; has kept a greengrocer's shop, and was better off than he is now; has five brothers and one sister; one brother transported about 13 months ago, 17 years of age; father and mother industrious, but very poor; was at infant school for three years, and at Christ's Chapel National School for about six months. "It is about six years ago since I first went thieving; one of the monitors at the school put me up to steal apples from my father, who used then to keep a shop; he used to put me up first in the class when I brought him apples; after we had done school I and the monitor, with my brother who is transported, used to go into the markets and steal fruit and apples together; the monitor's name was George Parrott; we used to steal things in the Edgware-road that were outside the shops, knives and other things, which we used to sell to boys or to anybody we could get to give us something for them; I went on for about eight months before I was taken, when me and my brother were taken for 'doing the lob' (cant for robbing a till); this is the first time I and my brother were ever in prison; we got six months each here; we were then living at home; when our time was up my father came and fetched us from the prison; we stopped at home for seven or eight months; at this time we were at school, and took the milk round for my father; I went away with other boys to a lodging-house in Bell-street, Edgware-road; loads of boys there, all thieves; paid 4*d.* and 6*d.* a night; the man used to know we stole the money, and we used to think they would get us locked up if we did not pay them what they asked; it was six weeks or two months before I was taken; my brother stayed at home; I have been a worse boy than my brother; I was first taken for a till, and have been taking tills ever since; I have robbed at least 70 tills; the largest sum I ever got at one time was 3*l.* 11*s.*, it was with a boy named White, who is transported; I have been drunk at times, but not often; have been at almost every play, and very often; there's where the most part of the money used to go; my nickname among the thieves was Punch, because I was short; I have lived mostly in lodging-houses at Gee's-court, Oxford-street; plenty of boys, all thieves; it is now two years since I was there; I used to live at home part of the time I was thieving; they were always very kind to me; they would keep me if I would go and stop with them; but it is of no use, the boys will come and take me away, and I cannot stand against the temptation; I have had to do with girls; have lived with one in Paul-street, Paddington; her name was Mary Stewart, about 16; she was a thief; and a boy, now transported, Thomas Collyer, a lad of 19, lived with Isabella Grant; we had two rooms on one floor, Collyer in one room with his woman and I in the other with mine; there were a lot of other bad girls in the house; we paid 7*s.* a week between us; sometimes I used to go out with Mary Stewart at night and picked pockets; she picked men up, and I used to go before or behind her when she was at work; I was never without money; but I truly want to get out of this life; I would willingly go to the Philanthropic; I should be right glad to go abroad; there is no use staying here unless I could keep away from the boys, and I am sure I cannot as long as I am in this country; there are a great number of boys who live with girls; I never picked pockets; I have starred the glaze several times, and got two watches and rings; the most I ever got was for taking a little case off the counter of a jeweller's in Oxford-street; it was full of pencil cases, brooches, and rings; I sold them to a Jew in Petticoat-lane, and got 4*l.* 5*s.*; I could not tell you what I could average in a week by thieving; sometimes I would get a pound in half a day, sometimes nothing; sometimes you would get as much in a day as you could in a fortnight; I always went out with another lad, and generally with Collyer; I could pick my task of oakum in the prison by chapel time if I liked."

This boy is entitled to the merit of being frank in his revelations; I believe him to be really desirous of abandoning his wretched mode of life. His conduct in prison has been exemplary. I think him well worth the experiment, and recommend him for reformatory training at the Philanthropic.

8. ————————, 15; four times in Coldbath-fields; three times Tothill-fields, now summarily convicted; sentenced to two months' imprisonment on the 29th of November, expires 9th January 1852.

Father and mother alive; does not know where; believes his mother is in Monmouthshire; does not exactly know where his father is; believe she is with , at the Hotel, ; father is 79 years of age, and is kept there out of charity; mother once sent him to the Philanthropic, but they wanted 3*s.* 6*d.* a week, which she could not pay; I think my mother would do anything for my good; has been at school, at the Bentinck School at Lisson Green, where his mother lived; my mother is so poor she could not keep me; I could get no work; my father never gives my mother anything; she has had warrants out against him for neglecting to support us; I always lived with my mother until I got into the House of Detention, when she went away; I have lived in lodgings for one or two nights; I lived on what I could get; I slept in shutter holes or anywhere; I have been used to stealing tills; have got as much as 17*s.* 6*d.* at a time; I have robbed as many as 20 tills in three years; I have been at the theatres, but oftener at Mary-le-bone than any other. I want to go any where, or do anything to get out of this life.

I believe this to be a very hopeful case for interference. It is a summary conviction, and the

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the sentence nearly expired, but the only chance of his preservation is the Philanthropic, and I cannot forbear adding my recommendation to that of the chaplain and governor of the prison.

(signed) *W. J. Williams.*
Inspector of Prisons, Home District.

Kensington, 10 January 1852.

Examinations of Criminal Boys in the House of Correction for Middlesex, at Tothill Fields, with the view of ascertaining their fitness for Admission to the Philanthropic Society's Farm School at Reigate.

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1. ——————, 14; three times in prison; 1st. Clerkenwell, one month; 2d. Tothill-fields, six months; 3d. Tothill-fields, nine months. Imprisonment expires 2d September 1851.

Father and mother alive; father a blacksmith, residing at ; four children. Prisoner says, "Father and mother behaved very well to me; he got me employed in brush-making. I got into bad company, and run away. I lived with Bob Adams, in . Four other boys used to live with Adams; we used to go out thieving every day; one would pick a pocket, and hand what he got to me or another. A—— was always near us; the things were taken to the pledge-shop, and A—— used to give us so much a piece; the most I ever got at once was 3 *s.* There are three sisters, named W——, living with Mr. A——; he lives with all three."

This boy is a tolerable scholar; was at the national school, and has behaved very well in prison. He is well spoken of by the governor and chaplain, and I recommend him for the Philanthropic; he expresses a great desire to go to the institution, and to be sent abroad.

2. ——————, 15; twice in prison: 1st. Coldbath-fields, ten days; 2d. Tothill-fields, eight months, stealing a coal-scuttle. Imprisonment expires 5th September 1851.

Father dead; mother alive, ; supports herself by going out charing; five children. Prisoner says, "I used to go to the Roman-catholic Chapel School; I was employed in carrying placards about the streets, but was never in regular work; when I was out of work a boy used to come to me in the morning, and asked me to go out a thieving with him. I never left my mother's house; been engaged in thieving about six months; the most I ever got was 1*s.* 6*d.* or 2*s.* at a time. I have been two or three times at plays and concert rooms; wants very much to get out of this life and go abroad. My mother is a very good mother to me."

This boy has behaved remarkably well in prison; has been employed there in tailoring, and has now the good opinion of all the officers. I recommend him.

3. ——————, 13; three times in prison: 1st. Coldbath-fields, five years ago, fourteen days; 2d. Tothill-fields, seven days; 3d. ditto, eight months. Imprisonment expires 5th September 1851.

Father and mother alive; five children; father, brewer's labourer. Prisoner says, "I used to work at a cook shop in Hoxton; before going a thieving I have never left home; my father has been better off; I have been engaged in about 10 robberies. I hope I shall get employment when I get out; I should not at all like to go abroad."

This boy declines going abroad, and I cannot recommend him for the Philanthropic.

4. ——————, 15; four times in prison: 1st. Coldbath-fields, fourteen days; 2d. Tothill-fields, six months; 3d. ditto, one month; 4th. ditto, twelve months. Imprisonment expires 5th January 1852.

Father and mother alive; father a writer and grainer, residing at . The prisoner states, "My father drinks; he is drunk nearly every night; I have two brothers and one sister; I got into bad company, but never wholly left home; have been at Kentish Town National School; I have been engaged in about 15 robberies; the most I ever got at one time was 2*s.* 6*d.*; I was never out all night from home."

The evident cause of this boy's lapse from honesty is the drunkenness and neglect of his father; he can read and write; seems desirous of leading a better life; is well spoken of by the prison officers; has no objection to go abroad, and I think is a very good subject for admission to the Philanthropic.

5. ——,

5. ——————, 14; been three times in prisons: 1. Tothill-fields, two months; 2. Ditto, six months; 3. Ditto, 12 months. Imprisonment expires 5th January 1852.

Father dead; mother employed at a public-house, going home in the evening; resides at . Prisoner says, I have five sisters, two married, two at home, and one now in the House of Correction; has been at school, at St. Luke's-school, Chelsea. I have committed altogether about 20 robberies; the most I ever got was for a waistcoat, which was pawned by another boy for 9*s.* 6*d.* Mother would like him very much to go abroad, and would like to go to a school, and then go abroad.

This boy has behaved well in prison, is a tolerable scholar, and a very fit object for the Philanthropic Society.

6. ——————————, 16; seven times in prison; six in Tothill-fields, once in Guilford; now sentenced to 12 months' imprisonment, which expires 16th September 1851.

Stepfather a whitesmith, residing in . The prisoner states, I believe my stepfather now lives in ; he has four children by my mother. After my father died I was sent to the parish-school at Tooting, under Mr. Drouet, where I remained two years; was never put to work. Had a situation once with a lace-merchant in ; his business was to carry out goods, for which he received 2*s.* 6*d.* a week. When he left home, went and lived at a lodging-house in Dudley-street, St. Giles. Has worked at thieving with other boys; the largest sum I ever got was 4*l.* 7*s.* by picking a pocket. Once sold six pair of boots, which he stole, to a shoemaker in Monmouth-street, who gave him 25*s.* My mother is really a very good mother, but not in my "conceit;" she turned me out once, and I went to a lodging-house. I should like to go abroad, or to a school, or to do any thing by which I could gain an honest livelihood.

This boy has behaved remarkably well in prison, is intelligent, reads and writes tolerably well; and I strongly recommend him for trial at the Philanthropic. I sent for his stepfather, with the view of endeavouring to induce him to do something for the boy. In reply to what I said to him, he declared that he was not his child, refused to do any thing for him, and only regretted he had not been transported the first time he was in prison.

7. ——————, 15; four times in prison; Tothill-fields, three days; ditto, one month; Coldbath-fields, six months; Tothill-fields, nine months. Imprisonment expires 20th October 1851.

Father and mother alive; the former a carter; the latter goes out charing; reside at . Prisoner states: My father drinks very much; I have been at the Catholic school, and can read and write; I was employed in a cotton and brush manufactory in the Hampstead-road, and was earning 3*s.* 6*d.* a week; I left them one afternoon, and did not return; I have been thieving now about 18 months; I have a brother who has been twice in this prison for picking pockets; I have committed, I think, about 60 thefts; the most I ever got at one time was 2*l.*; when I left home I went to live at Mrs. G——'s, in Pye-street, Westminster; there were several boys there, all thieves; Casey, a boy who has been twice transported, took me there; he said he had been at the Isle of Wight, and got off for three years and a half; Mrs. G—— buys the things the boys steal; I have also sold things to a man named Mr. S——, who lives at a private house in ; everybody knows him, at least all the boys in Tottenham-court-road and Drury-lane know him; I used to go into his back parlour; I sold him once a roll of cloth, for which he gave me 30*s.*; his house is in the middle of the street; there are three houses with steps, and Mr. S——'s is the last; I have seen Bob A——; other boys told me of him; he used to sell the things for them, and when they were taken, would stand up and give them a character; formerly attended Catholic chapel, but kept away from home when he was thieving; when I was last taken up my father asked Mr. Hall, the magistrate, to get me to the Philanthropic; he has tried everything with me; I should be very glad to get abroad.

Has behaved very well in prison, and appears a very fitting object for the Philanthropic, for which I recommend him.

8. ——————, 15; been under remands at the House of Detention five times; convicted once previously, and sentenced to six months' imprisonment, Coldbath-fields: 2d conviction, 12 months, Tothill-fields. Imprisonment expires 20th October 1851.

The prisoner states he is illegitimate; his father and mother alive; his father and mother lived together at ; his father left his mother and married another woman; some money was left them by a relation, about 50*l.*, and they lived together as long as they could; his mother is now in the union workhouse; he was at school at Holloway, near the turnpike, for three years; was employed at the Olympic and Surrey theatres as call boy; I went to live in Belvidere-road, Lambeth, where I got into bad com-

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pany; this is about four years ago; I have been engaged in robbing shops, and sneaking down the areas of gentlemen's houses; we always go provided with lucifers or laces to sell, and throw a pea or pebble against the window to see if anybody is in the kitchen, and if found in the area show our lucifers or laces; used to work at thieving with lads of about 18 and 19; the most I ever received at one time was 13 *l.* for a quantity of plate stolen from a house at Bayswater, near the Flora Tea Gardens; there were three boys in for it; two of them sold the plate to Mr. E——, who keeps a beer shop in ; the other boy did not come to E——, so they divided 13 *l.* each, and cheated him of his share; he is now under imprisonment for robbing a gentleman's house at Primrose-hill, and stealing therefrom 30 *l.* worth of plate.

This boy came into prison dressed like a gentleman; he is very anxious to be sent to the Philanthropic; if he does not go he will be most certainly transported; he is extremely intelligent and acute; he has formed very dangerous connexions with a class of thieves very superior to the ordinary herd of juvenile offenders, as is shown by the description of his depredations. He will be remarkable either for good or evil, but on well weighing all the circumstances of the case, the experiment appears too hazardous for me to recommend a trial.

9. ————, 16; never in prison before; sentenced to nine calendar months' imprisonment for picking pockets. Imprisonment expires 3d November 1851.

Mother alive, supports herself by washing; father died 10 years ago. Prisoner states, I used to attend the Catholic chapel; was at the national school, and can read and write a little; I have been in several places; my last place was at a glass warehouse, where I had 6 *s.* a week wages; I went away, and left my place about a fortnight before I came here; my sister was going to apprentice me to service at the Hotel; I was taken for picking pockets with Rowe; I met him by chance in the Strand; I knew him about three weeks; when I get out I shall go home; I do not want to go to a school, nor will I go abroad.

This boy's determination is so strong neither to enter a school or go abroad, that nothing is left but to allow him to follow his own course.

10. ————, 13; four times in prisons: 1st. Coldbath-fields, 14 days; 2d. ditto, two months; 3d. ditto, three months; 4th. Tothill-fields, nine months. Imprisonment expires 20th October 1851.

Father and mother alive; the former a bricklayer's labourer; Irish; residing, No. 4, Tash-court, Gray's-Inn-lane; four daughters, neither of whom ever in prison; has been at Catholic school; reads and writes imperfectly; prisoner says, Both my father and mother are given to drink; I have been employed in a cloth warehouse at 4 *s.* 6 *d.* a week; I was only there nine weeks; I went off from there with some boys to the Albert Saloon; I did not return, but went a thieving; my mother used to give me three pence to do what I liked with every Saturday night out of my wages; I have, I think, been in about 200 robberies for the last two years and a half; I mostly got handkerchiefs by picking pockets; the most I ever got in money at one time was 3 *l.* from a lady in Tottenham-court-road; there were three half sovereigns and the rest in silver; I spent it in going to the play and treating other boys; a boy name John Francis first taught me how to pick pockets; my parents knew that I was thieving, and tried to keep me in, but I used to cut down stairs and run away; I have often been at the Britannia, Albert Saloon, and Standard; a great many boys there.

This boy has behaved well in prison; his father and mother, who are wholly destitute of the means of taking care of him, are anxious he should be sent to some institution and go abroad. I recommend him for the Philanthropic.

11. ————————, 15; twice in prison: 1st. Tothill-fields, two years ago, one month; 2d. Tothill-fields, eight months' imprisonment, picking pockets. Imprisonment expires 3d October 1851.

Father dead; mother supports herself by washing; Irish; one daughter, residing at . Prisoner states, "I have been engaged as a plasterer's boy for five years. I have been out of work at times, and then stolen things. I was first sent to prison for stealing a bushel of coke; I think I have committed about ten thefts at various times. The most I ever got was a pair of boots, which I sold for 5 *s.* 6 *d.* The last time I was in work, and two boys who I had known before, came to me when I was in bed; they told me to come along with them, and I went with them as far as St. Paul's-yard. I saw them pick a gentleman's pocket, and they put me to do the same, but I was caught.

I should very much like to go to a school, and go abroad, if such a chance were given me. I never asked my mother about going abroad, but I should like to go.

I recommend this boy.

12. ————,

12. ————————, 16; three times in prison: 1. Tothill-fields, four years ago, one month; 2d. Tothill-fields, 14 days; 3d. Tothill-fields, nine months. Imprisonment expires 3 November 1851.

Father alive, but separated from his mother; does not know where they are. His uncle, , house-painter, used to give him work. He lives at the corner of . Was never at school. Prisoner says, "I left my work because I had no clothes; I applied at the Union for clothes, but they would not let me have them unless I came into the house. I was obliged to take to thieving; I have picked more pockets than I can tell. I used to go to the races, Epsom, Hampton Court, and Ascot; and getthe food the gentlemen used to throw from their carriages. I also picked pockets at the races. The most I ever got was 1 *l.* 15 *s.* 6 *d.* out of a woman's pocket at Epsom Races. I used to sell my things to a man who they called 'Father,' who lodges in Gray's-inn-lane. He is a soldier with a pension. I lodged at his house; he is well known to the boys. Girls and married women are all together. I want very much to get out of this life, and to go abroad. I can be depended upon if I have a chance given to me.

This boy is described by the officers of the prison as dull at school, but well-behaved. I recommend him.

13. ————————, 15; seven times in prison from 1844; 1st. Tothill-fields, two days, and flogged; 2d. ditto, 10 days; 3d. ditto, one month, and flogged; 4th. ditto, two months; 5th. Coldbath-fields, six months; 6th. ditto, two months; 7th. Tothill-fields, 12 months. Imprisonment expires 17th March 1852.

Father and mother alive; the former a gas-fitter, residing at , ; seven children. The younger brother of the prisoner, only 12 years of age, has been nine times in Tothill-fields prison, once in Brixton, and flogged eight times. The elder brother has also been repeatedly in prison.

The prisoner states, "Both father and mother are always drunk; mother drunk every day. Been at ragged-school; can read and write; got his learning in prison. I began to thieve in 1849, when mother began to get drunk; mother knew I was thieving, and said I should be transported some day or another; she did not say anything more; never had any regular meals at home; I have generally stolen from shops; I have taken eatables, cloth, boots, and such like things; I used to sell whatever I took to Mrs. G——, where I lodged, at , next to the Refuge. All the boys, and sometimes there were 10 there, had been in prison; I used to pay 3 *d.* a night for lodging, but found myself. I have sold Mrs. G—— handkerchiefs, gown pieces and boots; the most she ever gave me was 3 *s.* for a lot of silk handkerchiefs." Mr. Lawrence, the schoolmaster of Tothill-fields Prison, states, "I went to the prisoner's father's house, on one occasion, before he was to be discharged; it was on a Sunday morning; it was some time before I could get in. I found both father and mother in a beastly state of intoxication, with two other women; the mother was lying on the floor almost insensible from drink, and the house was in a most filthy and disorderly condition. I went to ask the parents whether they would receive him, or that he should go to the Refuge. After being partially recovered from their stupefied condition, the father and mother said they would rather he should go to the Refuge, and apologised to me for being drunk. He was accordingly sent to the Ragged School Refuge in Pye-street, and was enticed away from there by Mrs. G——, who lives at the very next house to it."

The officers of the prison state, that this boy has behaved remarkably well in prison, and that the lapse of this family is entirely owing to the drunkenness of the parents. He is desirous of being provided for in some institution, and going abroad. I most strongly recommend him for the Philanthropic.

14. ————————, 16; three times in prison since 1846; 1st. Tothill-fields, six months; 2d. Ditto, six months; 3d. Ditto, nine months.

Father died about six years ago; mother a weaver, residing at ; three daughters. Prisoner states, I was never at school; can read and write well, which I have learned in prison; father used to go to church, and he went with him sometimes. After my father's death, I got into bad company; I have committed about six thefts; I have stolen from my aunt and mother, and left my work on robbing my employer of 2 *l.*; I have been to sea in the merchant service; I have been in the wine trade to Portugal and other places; I have been about 18 months at sea, and it was on my return that I got again into bad company, and into this trouble. I know well I have but this one chance left; I will go anywhere, or do anything to better myself; I would be most grateful if sent to the Philanthropic, and every dependence may be placed upon me.

This boy appears by his excellent conduct in prison to have won the good opinion of the officers. I recommend him for the Philanthropic, in the hope that when away from temptation he may yet do well, although I think the case is a doubtful one.

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15. ————————, 16; three times in prisons, commencing in 1847; 1st. Tothill-fields, six months; 2d. ditto, 12 months; 3d. ditto, 12 months. Imprisonment expires 17th March 1852.

Father alive, a currier; emigrated to North America; mother died three years and a half ago; brother residing in , a weaver by profession; sister married to a tanner; very respectable, but poor. Prisoner states, I was at the Tabernacle school, , where my father resided; I can read and write, but all my knowledge has been obtained in this prison. I ran away from home first in 1847, and went to lodging-houses in Whitechapel; boys first enticed me to play truant from school, and go into the fields to play; I used afterwards to take the money given to me to pay for my schooling and spend it. My father went to America; he did not know where I was when he went. My brother, who lives in Peacock-street, met me one day close to his own house, took me home, and clothed me; he got me work at a currier's, until my father wrote for me to be sent to him at Boston; the currier got slack of work, and I ran away from him; I met with some boys, who enticed me, and so prevented me being sent out to my father; I have been living in lodging-houses in the Mint. I have committed, I think, about 50 robberies, chiefly by picking pockets; the most I ever got was 6*l.*, the produce of a watch I stole at Epsom races; I sold mostly to the Jews in Petticoat-lane; I worked with two or three boys who live in Whitechapel. I want to go abroad very much, and faithfully promise, should I be sent to the Philanthropic, to obey the rules.

This boy's conduct in prison has been unexceptionable, which is the only favourable feature in the case. My personal examination, however, inclines me to hope that he has at last seen the hopelessness of his present career, and has an inclination really to better himself. I think that after training at the Philanthropic, it would be desirable he should have the means of joining his father at Boston, North America, and have little doubt but what his brother would contribute something towards sending him there. I recommend him for the Philanthropic.

16. ————————, 15; never in prison before; sentenced to four months' imprisonment, expiring 4th August 1851.

Neither father nor mother. Prisoner says, I have two brothers and two sisters older than myself. They have never been in trouble. My father died 11 years back, and my mother three years and a half ago. I have been living with my married sister, at . Her husband and my brothers are employed in the market. I have been at the Catholic school. I was employed by a book-binder, who gave me 5*s.* a week; but a boy named Watkins, who lived in the same house, enticed me and I went away with him. I had known him before and stolen things with him when I had nothing to do. Watkins was out of work at this time; he has been in prison before. I had stolen some cigars, for which I got 3*s.* 6*d.* I have been at the theatre, at Drury-lane; my sister's husband drinks, and she has two children.

This boy, without father or mother, is wholly destitute and dependent upon a sister who is wholly unable to provide for him. He appears well disposed, and I recommend him for the Philanthropic.

17. ————————, 15; four times in prison since 1849; 1st. Coldbath-fields, 14 days; 2d. Tothill-fields, one month; 3d. ditto, seven days; 4th. ditto, two months.

Father and mother both dead; resided in ; the father has been dead three years, the mother 14 months; his father taught him to read when alive; was afterwards at an infant school; his uncle, he says, took him to live with him; when I could not get into work he turned me out, and said I was a lazy boy; he never endeavoured to get me into work himself; I was obliged to do the best I could for myself, and got into bad company; I lived with Mrs. M——, ; she knew my parents; I paid her 1*s.* a week when I could; I have committed about 50 thefts, clothes, boots, shoes, and such like; the most I ever got at one time was 16*s.* for a pair of trousers; I do not at all know what I am to do when I go out; I would readily go anywhere or do anything.

The chaplain strongly recommends this case; but the term of imprisonment is so short, expiring in about three weeks, as to preclude dealing with it in the ordinary way. Perhaps Mr. Sidney Turner may recommend the society's receiving him gratuitously.

18. ————————, 15; eight times in prison; twice convicted of felony; sentenced to 12 months' imprisonment, which expires 26th August 1851.

Father dead; mother living by washing; resides in ; has one brother, who lives by thieving, 20 years of age, who has been twice in Tothill-fields prison under summary conviction.

Prisoner says, I was once employed at a paper-stainer's, but my brother took me away from my mother, and taught me thieving; I have been out with banjo men, who darken their faces, and sing nigger songs; we have often taken 12*s.* a day at this, and sometimes a pound. A lot of us boys used to frequent the Army and Navy Club in St. James's-square, and the gentlemen

gentlemen used to give us money. One night the gentlemen put me at the top of a cab, and pelted me with eggs from the windows; this was about 10 o'clock at night; I was by myself, and the gentlemen subscribed 15 *s.* 8 *d.* for me. My brother got me to live at Mrs. F——'s in , where there were a number of thieves, and I went out with them. The most I ever got at one time was 2 *l.* 3 *s.* 6 *d.* taken from a lady in Covent-garden; I have been a thieving about twelve months; I have learnt to read and write in prison, and was never at any other school. There are plenty of boys in the prison who I have known as thieves. I believe in a God here in prison; but my heart is not upon it when I am out thieving; I have been a very bad fellow, but I really believe I shall be a good one.

The officers state that his conduct in prison has been good, and they recommend him for the experiment, in which I concur.

19. ————————, 16; twice in prison; 1st. Coldbath-fields, 14 days; 2d. Tothill-fields, eight months. Imprisonment expires 5th September 1851.

Father and mother alive; father a working silversmith, long out of employment, residing at No. 10, Ivy-lane, Hoxton. Prisoner states: I was at the Refuge for the Destitute for some time, but was discharged from there in consequence of its being broken up; I learnt shoemaking there for about 12 months; father and mother both drink, and never go to a place of worship; I have three brothers and two sisters; after leaving the Refuge I sold apples about the streets, and got into bad company, and went a thieving with a lot of boys, my younger brother, who is here, being one of them; I have not been in more than half a dozen robberies; I liked the Refuge very well, and should like to go again; I should like to go abroad.

This boy has behaved very well in prison, and perhaps owes his continuance in crime to the circumstance of the breaking up of the male department of the Refuge for the Destitute. I fear, however, he has been the instrument of leading a younger brother into criminal pursuits, who is now in this prison, but whose weak state of health at present prevents me from recommending both for the Philanthropic. I therefore restrict the recommendation for the present to one.

W. J. Williams, Inspector of Prisons.

Capt. *Williams'* Suggestions for the Suppression of Juvenile Delinquency.

Sir, Kensington, 2 January 1852.

With reference to my recent Report upon the subject of Penal Schools and Juvenile Delinquency, I have further to state, that I have subsequently instituted very extensive inquiries among the parents and relatives of boys in the Middlesex House of Correction, at Westminster, with the view of ascertaining their ability to pay for the maintenance and education of their delinquent children, when sent to asylums for reformatory training, and the result of these inquiries satisfy me that it is quite hopeless, in the vast majority of cases, to expect any payment from these sources; the condition of the parents being almost invariably so low, that it would also, I think, be equally useless to suppose that any such payments could be compulsorily enforced.

With the view of showing the practicability of the suggestion I took the liberty of offering, for reviving the ancient practice of requiring sureties for good behaviour, and extending it to cases of juvenile delinquency, I have endeavoured to embody the suggestion in the draft of a Bill which, after submitting to the revision of a legal friend, I beg to enclose. *Vide* Evidence.

I have added clauses which fix the relatives of juvenile delinquents with their maintenance, or part thereof, while under training, if they should be considered available; but as I have before stated, I consider the obtaining either voluntarily or compulsorily such payments as impracticable.

I have, &c.

(signed) *W. J. Williams,*
Inspector of Prisons.

H. Waddington, Esq.

Appendix, No. 2.

JUVENILE DELINQUENCY, LIVERPOOL.

Appendix, No. 2.

EXTRACT from the SIXTH REPORT of the INSPECTORS of PRISONS, Northern and Eastern District, 1841.

I HAVE thought it more convenient to treat the subject of juvenile delinquency at Liverpool under a separate head, and the extent to which this social evil has increased, and its lamentable consequences in that important town, well merit this distinction. To show that I do not exaggerate the deplorable state of depravity which pervades so large a portion of the humbler classes, and to which certain local causes may have in some degree contributed, I annex a tabular return of the number of male adults and juveniles committed and re-committed to 13 of the principal prisons in Great Britain, with the proportions per cent. on the whole number, and on their re-committals. (*See* p. 2.) For this interesting table, with its analysis, I am indebted to the present keeper of the Liverpool Borough Gaol.

From this document it appears that, during one year, the number of male juvenile prisoners committed to the Liverpool Borough Prison was, in proportion to the whole number of male prisoners, much greater than in any of the gaols selected, and that the proportion of juvenile re-committals was in Liverpool nearly double that of the average proportion of the metropolitan prisons, and more than double the average of the remaining five English prisons; whilst of the gravest class of re-committals, those who had been in gaol four times or oftener, the proportion in Liverpool was upwards of seven times the average proportion in the metropolitan gaols, and nine times more than in the five provincial gaols.

The proportion of male juveniles to the whole number of male prisoners committed to the Liverpool Borough Gaol was 4 per cent. more than the average proportion in the six metropolitan prisons, $8\frac{1}{2}$ per cent. more than the proportion in Salford New Bailey Prison, $10\frac{1}{2}$ more than Bristol, 10 more than Warwick, $12\frac{1}{3}$ more than Wakefield, $7\frac{1}{2}$ more than Hull, and 4 per cent. more than in Glasgow, or about 9 per cent. more than the average of six of the largest provincial prisons attached to the most populous manufacturing and commercial towns and cities in the kingdom.

The character of the offences for which they were committed will be evident from the fact, that of 709 juvenile prisoners committed during the year to the Liverpool Borough Prison, 316 were committed as known or reputed thieves, and 256 as vagrants.

The proportion of male juvenile re-committals to the whole number of male juveniles, during the year, was, in Liverpool 66 per cent. Of these $28\frac{1}{2}$ per cent. had been in prison four times, or oftener. So that 66 out of every 100 boys committed to this gaol had been previously imprisoned, and more than 28 of such 66 who had been previously committed had been in gaol four times, or oftener. In the metropolitan gaols the proportion of re-committals to the number of juvenile prisoners averaged $35\frac{1}{2}$ per cent., and in the other five gaols in England $32\frac{3}{4}$. The number of re-committals to the Glasgow bridewell does not appear in the return.

Compared with the proportion of re-committals in the adult class of male prisoners, the proportion in the male juveniles was much greater generally. The average number per cent. having been, in the metropolitan gaols, $35\frac{1}{2}$ per cent., whilst of adults it was $23\frac{1}{10}$; and in the other five gaols the average re-commitments of juveniles was $32\frac{3}{4}$, and of adults $18\frac{1}{2}$ per cent. In Liverpool the proportions were, of adults 36, of juveniles 66 per cent. The returns of the preceding year exhibit nearly similar results. Of the 2,740 juvenile re-committals to 203 prisons in England and Wales, 299, or about $\frac{1}{9}$th of the whole, occurred in Liverpool; and of the 506 juveniles who had been in gaol four times or oftener, the number in Liverpool was 138, or upwards of $\frac{1}{4}$th of the whole number of this class in 203 prisons, from which the returns were made.

TABLE

TABLE of Committals and Re-committals of Male Adult and Juvenile Prisoners for the year 1839, to certain Prisons herein named, with the proportions per Cent.

Gaol.	Total No. of Prisoners Committed.			Proportion per Cent. on the whole Number.		Number of Re-committals.								Proportion per Cent. of Re-committals.		Proportion per Cent. of Re-committals.							
						Adults.				Juveniles.				Adults on the whole No. of Adults.	Juveniles on the whole No. of Juveniles.	Adults on the whole No. of Adults.				Juveniles on the whole No. of Juveniles.			
	Adults.	Juveniles.	Total.	Adults.	Juveniles.	Once.	Twice.	Thrice.	Four or more.	Once.	Twice.	Thrice.	Four or more.			Once.	Twice.	Thrice.	Four or more.	Once.	Twice.	Thrice.	Four or more.
Liverpool - -	2,466	709	3,175	77⅔	22⅓	356	134	114	291	134	71	66	201	36½	66	14¾	5½	4½	11¾	18¾	10	8¾	28½
Salford - -	4,127	650	4,777	86¼	13¾	633	295	171	283	89	66	39	88	33¾	43	15¼	7	4¼	6¾	13½	10	6	13½
Bristol - -	488	65	553	88⅕	11⅘	11	18	14	12	15	8	8	- -	11¼	48	2¼	3¾	2¾	2½	22½	12½	12½	—
Warwick - -	961	161	1,122	85¾	14¼	72	18	6	8	19	12	2	- -	10⅞	20½	7½	1⅞	⅝	⅞	11¾	7½	1¼	—
Wakefield - -	2,696	290	2,986	90⅓	9⅕	453	203	80	89	53	22	11	5	30¼	31¼	16¾	7⅕	2¾	3¼	18¼	7½	3¾	1¾
Hull - - -	535	92	627	85¼	14¾	22	4	- -	- -	7	7	3	2	4⅞	20⅝	4⅛	¾	- -	- -	7⅝	7⅝	3¼	2⅛
Glasgow - -	992	236	1,288	81⅕	18⅖	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
London:																							
Coldbath-Fields -	5,418	1,231	6,649	81⅓	18⅔	926	299	123	211	27	65	21	49	28½	29¼	17	5½	2¼	3¾	18½	5¼	1¾	3¾
Clerkenwell -	2,865	757	3,622	79⅕	20⅘	211	70	28	66	98	53	11	110	13⅛	36	7⅜	2½	1	2¼	13	7	1½	14½
Newgate - -	2,349	472	2,821	83⅖	16⅗	483	89	9	31	133	24	6	9	25¾	38	20½	3½	¼	1½	28¼	5¾	1¼	2
Giltspur-street -	615	36	651	94¼	5¾	31	21	9	7	7	4	2	1	11⅜	38⅞	5	3¾	1½	1⅛	19½	11⅛	5½	2¾
Bridewell - -	692	177	869	79⅔	20⅓	88	42	30	54	20	22	3	3	31	27⅞	12¾	6⅝	4⅜	7¾	11⅜	12¼	1¾	1¾
Tothill-Fields -	2,795	580	3,375	82⅘	17⅕	472	169	39	240	132	44	9	64	33¼	43	16¾	6¼	1½	8¾	22¾	7¾	1⅗	11

Assuming

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Assuming that this mode of ascertaining the comparative character and extent of juvenile delinquency is a correct one, it follows that the amount of juvenile criminality in Liverpool is proportionally greater than in the metropolis, or in any of the most populous manufacturing and commercial districts in Great Britain; and that judging from the description of the offences, and the number and frequency of the recommittals in this class of prisoners, the character of juvenile delinquency is generally, and in Liverpool in particular, more desperate than that of the adult class of criminals.

In my second Report, under the head of juvenile delinquency at Liverpool, I have stated, in addition to the general and universally operating causes, that "various circumstances tend to give it this numerical preponderance in juvenile delinquency over other populous places in the vicinity. Among them may be stated the fluctuating variety and vicissitudes of the population of a great maritime town; the continual ingress of poor Irish: the absence of factory employment, or other work, for children; the number of destitute orphans from the deadly visitations of cholera and fever; the temptations afforded to want and idleness by the comparatively unguarded and careless exposure of valuable property in the markets, stores, and about the dock; the excitements to criminal pursuits induced by the low shows and theatres."

The causes above stated, are still in active operation, but a subsequent five years' experience has satisfied me how greatly I underrated the mischievous effects which result from vitiating and corrupting public amusements. The passion for the theatre among the children of the humbler classes in large towns, is of itself the most common impulse to crime. In the greater number of cases, parents compelled by straitened circumstances, send from home their children when scarcely beyoned the confines of infancy to eke out, by some employment, the subsistence of the family, leaving neither time nor opportunity for the cultivation and proper direction of their mental powers. Thrown thus early into active life, they acquire, both by intercourse with their fellow labourers of more advanced years, and from personal observation, a precocious and pernicious knowledge of the world. Inordinate desires spring up in their youthful minds, and in the absence of a moral sense to restrain them, they scruple not to resort to dishonest means for their gratification. The first act is generally the subtracting of pence from the shelves, drawers, and indeed the persons of their parents or relations, for the purpose of obtaining admission to some low theatre or amusement, of which they have heard the most captivating description. This rubicon once passed, neither menaces nor blows are of avail. Late hours, loose associates, abandonment of home, robbery from the person and shops, utter vagabondism follow in a quickness of succession quite lamentable. Perhaps in no other town in the United Kingdom has the demoralizing influence of low theatres and amusements upon children been so decidedly experienced as at Liverpool. The number of children frequenting the Sanspareil, the Liver, and other theatres of a still lower description, is almost incredible. The streets in front, and the avenues leading to them, may be seen, on the nights of performance, occupied by crowds of boys, who have not even been able to possess themselves of the few pence required to obtain admission. I cannot forbear describing, as a sample, one place of amusement called the Penny Hop, in Hood-street, to which the admission is one penny, and where two or three series of performances take place the same evening. It consists of a spacious room fitted up in the rudest manner, with a stage, and seats on an inclined plane; the access to it is through a dark passage and up a ladder staircase. On one occasion I was present, and found the audience to consist almost exclusively of boys and girls of the very lowest description, many without shoes or stockings, and to the number of 150. As they were descending the ladder at the termination of the performance, I pointed out to the superintendent of police, who accompanied me, a well-dressed youth among the number, who proved to be the son of a respectable tradesman, and was delivered over to his parents. I had some conversation with the persons in the interior, who appeared to have the management, and they stated in answer to my question, that the theatre was almost always filled, and with boys; that they had attempted to play Jack Sheppard, but in consequence of the frequent interruptions from the audience, who seemed all to wish to take a part in the performance, they were obliged to give it up. I understand the authorities have no legal power of either regulating, restraining, or putting down such dens of infamy, and that children of the most tender years, and entering by themselves, cannot lawfully be prevented. I trust, however, that the borough magistrates and town council of Liverpool, who have ever manifested a deep interest in this subject, will lose no time in obtaining from the Legislature powers, so necessary for the protection of society, and which have already been vested in, and most beneficially exercised by, the commissioners of police for the metropolis.

The evils produced in children by the gratification of this passion for the theatre, has, of late years, been most seriously aggravated by the introduction of a novel kind of amusing and dramatic literature. I cannot do better than describe it in the words of a French writer, M. Frégier*—for the evil is not confined to the large towns in this country—who says in his valuable work,

"There is another class of writers, who, to excite the curiosity of the vulgar by a no less powerful stimulant, have introduced malefactors upon the stage, endowed them with a wonderful dexterity in the execution of criminal acts, made them the heroes of the drama, the vehicles of their humour, their sarcasms, and their ridicule against public authority and the officers of justice. They have invested these ruffians with indomitable courage, imperturbable sang

* Des Classes Dangereuses de la Population dans Grandes Villes. Par H. A. Frégier, Chef de Bureau à la Préfecture de la Seine. Paris, 1840.

sang froid, fertility of expedient, lively conversation, indeed with every quality that can interest or divert. They are made to sport with human life, and their unconcern before and after the perpetration of crime is set off by such an exterior and with such buffoonery, that indignation is smothered at the very moment it is on the point of breaking out.

"Whoever has witnessed the representation of those popular dramas, the *Auberge des Adrets* and *Robert Macaire*, will at once acknowledge the justice of my observations. It is the triumph, the apotheosis of criminal audacity.

"Although the upper classes of society do not disdain to frequent the secondary theatres where such dramas are represented, I have no fear that the bon mots and the sallies of malefactors would ever diminish their contempt for crime. But I am not so well satisfied with regard to the effects such pieces may produce upon the ignorant and unreflecting mass of spectators. The latter, unaccustomed to analyse the impressions thus created, or fathom their moral foundation, abandon themselves, without mistrust, to the illusions of the authors; they do not stop to consider that the principal characters represented are enemies of society, criminals, men sunk in public estimation; and that neither their effrontery, their address, nor the salt of their humour, can efface their ignominy. The vulgar do not reason with their pleasures; but diverted at the expense of a gend'arme by the stratagems of a thief, they become interested in the fate of the latter from the same motive which makes us desire the success of a man engaged in an ardous enterprise. Having gone to the theatre for the purpose of enjoyment, they laugh at eveything which can possibly afford them the opportunity, until the incidents of the drama are exhausted, and the hero, that is, the thief, crowned with the plaudits of the audience, escapes triumphantly from the peril with which he was threatened, or succumbs with courage to his fate. In the latter case they pity, as they would have applauded, had he, by his dexterity, avoided the pursuit of justice. The people are so constituted, and a very considerable number of enlightened minds are people under similar circumstances."

If this be the effect produced by such exhibitions on those of mature years in the humble ranks of life, and of which no reasonable person can doubt, it will require no stretch of imagination to conceive their aggravated evil consequences upon children, when their very amusements, rare as they are, both to the aged and young of their condition, are thus made the active agents of their moral corruption.

Independently of my own impressions of the mischief inflicted on the youthful mind by such productions as "Jack Sheppard," and others of a similar character, I am strengthened in this opinion, by the voluntary statements made to me, almost universally, by keepers, officers of prisons, and others, of facts coming within their knowledge fully corroborative of their injurious effects, more especially when embodied with substantial life and action, and clothed with all the illusive appliances of theatric representation. With the view that the mischievous tendency of such productions may be placed beyond doubt, the extent of the morbid excitement produced by them on the younger classes ascertained, and some estimate formed of the injury done by them to public morals, and with the hope by this exposition that those unintentionally guilty of these social offences may, perhaps, be prevented from their repetition, that attention may be excited to the subject, and some means may be suggested for the extension and purification of those pleasures which the poorer classes of society are entitled to in the intervals of labour, I have caused the whole of the boys imprisoned in the borough gaol of Liverpool at the time of my visit to be questioned; and I annex, without further comment, the particulars of their evidence, together with the statement of the schoolmaster of New Bailey prison at Salford, and the most extraordinary cases of three boys convicted of burglary, whom I found under sentence of transportation at the House of Correction at Preston.

Examinations of Boys taken in the Borough Gaol at Liverpool.

"1.—*J. G.*, 15. I have been four times in prison. I have been at the Queen's Theatre. I was at the shows at the Custom-house. I never stole any money to go to the plays with, but I used to pawn things that I stole to any of the shops I was nearest.

"2.—*J. B.*, 15. Eleven times in prison. I have been at the Sanspareil, and many times at the penny hop, in Hood-street, and often at the shows at the Custom-house. I never picked pockets in my life; I never took anything but old ropes.

"3.—*T. W.*, 12. I have been twelve times in prison; I am now confined for two years. I have been at the Sanspareil about 20 times; I have been at all the other theatres. I always stole the money to go with, except the first time. I have been as often at the Amphitheatre as the Sanspareil.

"4.—*B.*, 15. I have been fourteen times in prison. I have been hundreds of times at the Sanspareil, and often at all the other theatres. I have no parents, no home. I always stole the money to go to the theatre. I was apprenticed to a sweep; I was 'ticed away from my master by bad companions I met with at the theatres; we always made our plans at or coming from the theatres.

"5.—*R. F.*, 17. I have been seven times in prison, hundreds of times at the Sanspareil, and almost as often at the Amphitheatre, and I have been several times at the others also.

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I have no home, no parents. I was in work when I first went to the Sanspareil; paid the money out of my wages. It was at the theatres I first became acquainted with bad boys, who enticed me to steal anything I could lay my hands upon.

"6.—*D. M.*, 12. I have been three times in prison. I have been at the Sanspareil, the Liver, and Queen's. I have stolen money to go with. It was at the theatres I was first introduced to bad characters. I was sent here for stealing 13 pair of boots belonging to my master. I sold them to Mrs. B., she now lives in —— street; there were three others joined with me; we got 8 *s.* each. I have sold her boots before. I was first taken to Mrs. B. by J. W. I had stolen a rug, I met W., he said he could show me where to sell it. I got 1 *s.* 6 *d.* I have played at pitch and toss.

"7.—*H. M.*, 15. I have been three times in prison, and about 20 times at the Sanspareil. I had money of my own. I left my ship, went to the brick-kilns, and there met with bad characters.

"8.—*J. R.*, 16. I have been several times in prison and hundreds of times at the Sanspareil and Amphitheatre, also at all the others. I have been at the penny hop. I at first used to steal money from my parents; afterwards I got acquainted with very bad characters by going to the theatre, which was the principal cause of my coming here.

"9.—*T. D.* I think I have been fifty times at the Sanspareil, I have also been at the Queen's. I used to get the money any way I could. It was at the theatres I first picked up bad companions.

"10.—*M. A.* I never was at any of the theatres, except a penny show at the top of Preston-street. I think they call it P——. I first met with bad company by stopping to see boys play at pitch and toss.

"11.—*J. F.* I think I have been at the Sanspareil twenty times, I have also been at the Queen's. The first time I went I sold my cap; it was so late when we came out I dare not go home; I went with another boy to sleep in a stable; I slept there four nights, since then I have always mixed with bad boys.

"12.—*J. H.* I have been at the Sanspareil about fifty times, I have been at the Theatre Royal and Liver. I used to save my money; it was given to me; I did sometimes steal it. I believe I should never have been here had I never gone to the theatres.

"13.—*J. Mc.* I was never in any theatre. I left my father's house through his bad conduct towards me. I soon met with idle boys, who enticed me away with them. The first thing I stole was a roll of tobacco off a shop counter; we sold it for 1 *s.* 6 *d.* at a house in B—— street.

"14.—*W. S.* I have been four times at the Amphitheatre, and twice at the Sanspareil. I always had the money given me; but I believe I should not have known so many bad boys, or have been here, had I never gone to the theatre.

"15.—*J. W.* I was never in any theatre, but was often at the shows opposite the Custom-house. I stole the money from my parents, except once; I stole that from a woman. I got acquainted with many bad boys by going to the shows.

"16.—*M. L.* I was never at any theatres, but I have been oftentimes at the shows opposite the Custom-house. I got my money by cleaning ships' decks. I was never with any bad boys. I was never brought up to prison for anything but old ropes, &c. I got off ships for cleaning them.

"17.—*H. L.* I think I have been six times in the Sanspareil; I have been in many shows repeatedly, especially those beside the Custom-house, an acting show in Hood-street, called the penny hop. I took various things to make money, so that I could get to look at the shows, &c. I first became acquainted with bad characters in St. John's-market, where we used to meet.

"18.—*J. H.* I have been three times at the Sanspareil, and once at the Liver; I have been a great many times in Hood-street at the penny hop, and at several shows. I used to get my money as I could, it did not matter how or where, if I got it. I think I should never have come here had I never gone to those places.

"19.—*J. C.* I have been twice at the Sanspareil; I have been in Hood-street at the penny hop, and at several other shows. I never stole any money to go into the shows, but I should never have come to prison had I kept from such places; I there met with bad companions.

"20.—*J. J.* I have been so often at the Sanspareil I cannot count them; I have been at all the other theatres, also at the penny hop in Hood-street, at the shows frequently opposite the Custom-house. I cannot say that I ever went to those places for good, but it was the cause of my becoming acquainted with bad characters. I was often afraid to go home when we came out, it was so late; I have frequently slept in necessaries by myself and with other boys. I have a good home to go to, and my parents would do anything for me.

"This statemest is perfectly correct. I have made inquiry.

"(Signed) *J. H. R.*, Schoolmaster.

"21.—*W. B.*

"21.—*W. B.* I never was at any theatre, or in any show whatever. I have no parents, no home. I was led away by meeting boys in the street, who taught me to steal.

"22.—*D. G.* I have been at the Sanspareil and Queen's Theatre, also many times at the penny hop in Hood-street. I sometimes got money from my mother, and sometimes stole things, which I with other boys sold at the second-hand shops.

"23.—*C. F.* I have been at the Sanspareil, the Amphitheatre, and Queen's; I cannot tell how many times. I have been at the penny hop in Hood-street; I have been so often I cannot tell how many times. I always stole the money I went with. We got sometimes handkerchiefs. Once I and another boy stole a cheese, which we sold to Mrs. B—— in H—— street. It weighed about 15 pounds; we got 4*s.* for it. We sold all the things we got at the same place. We used to make all our arrangements either at the theatres or in coming from them.

"24.—*M. C.* alias *W. R.* I cannot tell how often I have been at the Sanspareil, I have been so many times; I have been at all the other theatres many times, and at the penny hop in Hood-street. I used to steal from my father's house anything to sell, or go into the market to steal oranges, apples, onions, or anything else; when we had got a quantity we sold them; the other things, such as handkerchiefs, &c., we always pawned them at McP——s, and at a place in Marylebone. I used to be afraid to go home when we came late out of the theatre. I have frequently slept in necessaries, haylofts, and lodging-houses. I first met with bad companions at the Sanspareil. The first thing I did at the Sanspareil was when the place was loosing; we used to put our hands over the rails when the people were going down stairs, and take off shawls, hats, or anything else; the people that had lost them could not get back, the crowd was so strong. If the hat was a good one, we used to put our own inside, and put it on our heads; we also used to creep under the seats; strangers would have their pockets hanging down, (men or women), we used to cut them off sometimes. I have found bottles with liquor in them, copper, oranges, and other things; in the women's we sometimes found purses. My father has often said those cursed places have been my ruin.

"25.—*T. U.* I have been once with my mother at the Amphitheatre, I have also been at the penny hop in Hood-street; I never saw any good company there; I always got more harm than good while there. I never was in prison before this time.

"26.—*E. B.* I never was at any theatre or show but once, and that was at a show in Marylebone. I never was in prison before this time.

"27.—*J. C.* I never was at any theatre except the penny hop in Hood-street; I have been there many times, and at the shows at the Custom-house. I sometimes earned the money by carrying, and sometimes stole things, which I sold at Mrs. B.'s in V—— Road, or N—— Street; whatever the value of the article she gave half the price. When I went to shows, &c., it was sometimes so late I feared to go home; I then went with boys to sleep in hay-lofts or lodgings. Had I never gone to those places I believe I never should have come to prison.

"28—*J. L.* I have attended the Sanspareil two seasons; I think I have been there about twice a week on an average. I have often been at the penny hop in Hood-street, and at the shows at the Custom-house, not so much to go into the shows as to look out and pick pockets. I was at a cooper's shop, and had the chips, which made me about 9 *d.* per week. I sometimes stole nails (new ones) and sold them in Highfield-street. The first pocket I picked I got a silk handkerchief, which I pawned at H.'s in J—— Street for 1 *s.* I believe I got first into bad company at the shows at the Custom-house.

"29.—*J. C.* I never was at any of the theatres, but was often at the shows at the Custom-house. I used to steal for the money I went to shows with. I got pocket handkerchiefs and other things, and pawned them at H.'s in James-street. I was first led to steal by some big boys, who gave me a penny or twopence for every pocket I picked. I used to think twopence a great deal,

"30.—*R. L.* I never was in the Sanspareil, but often at the door; I had no money or else I would have gone in. I was often tempted to pick pockets for that purpose; I only tried twice and was caught; the gentleman let me go. I have been at the penny hop in Hood-street. I used to steal onions in the market, and sell them for money to go to hop with. I have stolen beef also, which I sold to Mrs. B. in North-street; the greatest sum I received from her at one time was 1*s.* 6*d.* for a large breast of mutton. I have sold cheese and other things. I first got into bad company by going about the markets.

"31.—*W. C.* I never was at the Sanspareil or any other theatre; I was often at the shows at the Custom-house. My father gave me money. I first became acquainted with bad company by my father going to live in Lace-street. I have assisted to steal handkerchiefs, iron, &c. We sold things at the bottom of Chippenhall-street; iron at a farthing a pound. I picked a woman's pocket at the shows at the Custom-house; got half a crown; spent it in going to the shows.

"32.—*R. W.*, 17. Four times in prison. I have been so many times at the Sanspareil I cannot tell. I have been at the Amphitheatre and Queen's, and often at the shows at the Custom-house. I got the money any way I could. I first met with bad companions at the Sanspareil. The first thing I stole was at Wavertree, a shirt and petticoat. I sold them at a marine

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a marine store on Brownlow-hill for 6*d.* My parents say the theatres have been the ruin of many boys.

"33.—*E. B.* I have been three times at the Sanspareil; I cannot tell how often I have been at the penny hop in Hood-street. I did not care how I got the money. The first thing I stole was lead off a house, 8lbs.; I sold it in Duncan-street for 1*s.* 6*d.* We sold and pawned other things at a shop in Marylebone, and at McP's. McP. would never give us a ticket when he was in the shop. I am sure had I never gone to the Sanspareil I should never have come to prison.

"34.—*C. H.*, 15. Twice in prison. I never was at the Sanspareil. I have been at the Amphitheatre and Queen's, and often at the penny hop in Hood-street. I made money in overtime at Maw's foundry. I first met with bad companions at the market. I first commenced stealing by seeing other boys stealing apples and oranges; I first stole apples and beef.

"35.—*J. C.*, 15. Four times in prison. I have been at the Sanspareil hundreds of times; I have been in all the theatres; I have been at the penny hop in Hood-street. I always stole the monies I went to those places with. The first things I stole were some clothes hanging to dry; we went to different places; the things we got were principally shirts. We had a sack, we got it three parts full; we sold some to a woman in Preston-street, in a cellar; the others we pawned at a place, I think the back-door comes into Brick-street. I did not go in; I staid out to see if any one should come. I first met with bad companions at the Sanspareil. I have seen boys creep under the seats to pick pockets, sometimes they cut them off.

"36.—*J. E.*, 12. Twice in prison. I have been at the Sanspareil, and penny hop in Hood-street, and at the shows at the Custom-house. I got to know very bad boys at the shows and theatre. My mother bought me a pigeon; I sold it to some bad boys; it made so much dirt my mother told me to do so. The boys I sold it to were bad ones; I went with them that night to the Sanspareil; it was near 12 o'clock when we came out. About three days after I went down with them to the docks; we stole ropes and sold them.

"37.—*J. F.*, alias *A. M.*, 16. Six times in prison. I have been so many times at the Sanspareil I cannot number them; I have been at all the theatres, and very often at the penny hop; it is a place where none but lads and lasses go; it is one of the worst places that girls could go to; I should not like my sister to go there. The first thing I stole was my sister's bratt (apron); I sold it for 4*d.* to Mrs. J. in P—— Street. The first night I went to the theatre I was afraid I should get scolded; I slept in a necessary. I am certain the theatres have been my ruin.

"38.—*T. H.*, 15. Four times in prison. I have been so often at the Sanspareil I cannot tell how many times; I have been at all the theatres except the Theatre Royal. I think I have not been less than forty times at the penny hop, Hood-street, and at the shows at the Custom-house. I did not care how I got the money so that I got to the play. The first bad thing I did, I ran away with my wages from my father, 3*s.*; I took them to the Sanspareil. I treated other boys. It was about half-past eleven when we came out. I went with some boys to lodgings in Johnston-street; I slept there three nights. Going to the theatre was my ruin.

"39.—*J. B.*, 15. Four times in bridewell and once in prison. I have been at the Sanspareil and at the penny hop in Hood-street; I had my hat stolen from me the first time I went there. It is a very bad place. I never saw many men there; they are almost all boys and girls; they do all sorts of impudent tricks. I am sure the Sanspareil was the first thing that led me astray.

"40. *R. H.*, 15. Twice in prison. I have been at the Sanspareil, and at the penny hop in Hood-street. My mother gave me the money. I never stole anything in my life. I saw nothing good while I was at the theatres; the boys and girls were very wicked and impudent. I was brought to prison for being found in a necessary; having come out of the theatre late, I dare not go home.

"41.—*W. J.*, 12. Twice in a prison. I have been at the Sanspareil, and the penny hop. Another boy treated me. I have stolen from my mother; and lead from my father, he is a plumber. I met bad boys at a show at Sparling-street; they got me to cut bags at the docks, and steal from them; and then go into shops. I have slept in a small boat, and in hay-lofts.

"42.—*M. C.*, 13. Seven times in prison. I have been at the Sanspareil and penny hop; my brother gave me the money. I first met with bad boys when we came to live in Grayson-street. The first thing I stole was from the Graving Dock. I did not care how I got money so that I had it to go to shows and theatres.

"43.—*P. L.*, 12. Four times in prison. I have been many times at the Sanspareil, the Queen's, and the penny hop in Hood-street. I stole the monies to go with. I have stolen clothes or anything else. I used to pawn the things myself at Mr. M.'s, at the corner of F——Street. I have taken things to pawn there for my father and mother. I first became acquainted with bad boys in Addison-street. I never saw anything good at the theatre.

"44.—*W. E.*

"44.—*W. E.*, 13. I was only in Liverpool two days before I was taken. I came from Manchester to the races. I was taken up for picking pockets. I was enticed away by some young men; I was not picking pockets at the time. I have been at all the theatres in Manchester; I am sure I got no good at them, but got into bad company.

"45.—*R. H.*, 11. I have been seven times in prison. I have never been at any theatre or at the shows at the Custom-house. When I first began to steal my brother used to send me into shops to take money or anything I could get hold of; he took anything I got, along with other big boys, and sold them.

"46.—*W. D.*, 13. I have been five times in prison. I never was at any theatre or at the penny hop in Hood-street, or at the shows at the Custom-house. I have stolen money from shops; stockings, or anything else. I have picked pockets; I sold things that I stole at a cellar at the top of Preston-steeet. I have also sold beef and mutton; they would give me ninepence or a shilling for a good breast of mutton; for six or seven pounds of beef six-pence or ninepence, I always spent the money at the cook-shops and in cakes. When I was about ten years old, a big lad, J. G., got me to steal bacon, beef, and mutton in the market. I have also stolen apples and oranges. I first commenced to steal in the market.

"47.—*T. W.*, 14. I have been six times in prison. I have been at the Sanspareil, cannot tell how many times, and at the Queen's Theatre. I have been often at the penny hop. I have run away with my wages. I have slept in necessaries, and on the steps of houses. I have stolen lead, knives, handkerchiefs, pistols, everything. I won't tell what we did with them. I don't know what first led me to mix with bad boys; it was not the theatres.

"This boy I know for a fact has nearly ruined his parents; they have paid nearly two years for him at the workhouse, and have even sent him into Cheshire.

J. H. R., Schoolmaster."

"48.—*J. M'D.*, 12. I have been four times committed, seven times discharged. I never was at any theatre except the penny hop, and the shows at the Custom-house, and a show in Marylebone. I did not care how I got the money. I have stolen lead, suits of clothes, cheese, books, everything. I always sold them to Mrs. B. in N—— Street. I was first led to do bad things through the neglect of my mother. She is now in this prison.

"49.—*G. M'D.*, 9. I have been in prison seven times, and eight times discharged. I never was at any theatre except the penny hop. I have often been at the door of the Sanspareil, but never inside. I have been at the shows at the Custom-house. I always stole the monies to go with. I have stolen mutton, beef, clothes, books, cheese, everything. I once got 30 *s.* out of a till; I bought a suit of clothes with it; when I got home my father took them from me and pawned them. I once got 9 *s.* out of another till; my aunt made me drunk and took it from me. I once got 5 sovereigns and 11 *s.* out of the market. I always sold the goods I stole to Mrs. B., N—— street; she gave me 3 *d.* per lb. for mutton, and 2 *d.* for beef. Myself, brother, and Charles —— stole two pair of boots; we sold them to Mrs. C——, in a cellar in N—— Street; she gave us 7 *s.* 6 *d.* for them; she bought us a pack of cards, and she fetched us whiskey and ale to drink; we slept at her house that night. I stole a pair of shoes the next day; I took them to Mrs. C——; she was to give me 2 *s.* for them; they had no holes made in them; she said she would go and get them made, but she did not come back; I never got anything for them afterwards; she laughed at me. I once got into a shop in London-road; I got 9 *s.* 6 *d.* Once in Pit-street, 10 *s.* 6*d.*; I gave some of this money to my father, and treated some boys to the Sanspareil. I got 5 *s.* out of a shop in Pownall-square; 6 *s.* out of a drawer in the market; and next day I got 7 *s.* 6 *d.* from the same place, but was caught and taken to bridewell; I was discharged. I got 6 *s.* out of a drawer in Byron-street. I took a 5 *s.* paper of copper out of a drawer in Scotland-road market, and the next day I took 3 *s.* 6 *d.* from the same place. I took a pair of trowsers out of Tithebarn-street; sold them to Mrs. B——. I went into a shop in Great Crosshall-street, I stole a waistcoat and a shirt; sold them to Mrs. B.'s daughter; she pawned them for 3 s., and did me out of 6 d.; she only gave me half-a-crown; with that money I went and treated other boys to the Marylebone show. Me and my brother stole a ham out of a shop in Scotland-road; we sold it to Mrs. B—— for 3 *s.* 9 *d.*; we took the money to Mrs. C——, where we slept; next day I stole a hat out of a shop in Cleveland-square; sold it to Mrs. B—— for 2 *s.* My brother and me took a hat out of Byrom-street; sold it to Mrs. M'D——, corner of F—— Street, she sells furniture; gave us 3 *s.* for it. Me and Charlie T. stole three pairs of stockings from a shop in Whitechapel; sold them to Mrs. B. for 1 *s.* 3 *d.* I took a pair of shoes from a shop-door in Whitechapel; sold them to Mrs. B. for 2 *s.* Me and my brother stole nine pounds of beef; sold it to Mrs. M'D. for 2 *s.* 6 *d.* I went into a shop in Tithebarn-street, got an iron kettle, sold it for 1 *s.* 6 *d.* to Mrs. B. Myself and George W. were going up Scotland-road, took a silk handkerchief out of a gentleman's pocket; sold it to Mrs. B. for 2 *s.*; after that W. went home. I went into a tobacco-shop, saw a sovereign on the counter, took it; went home and gave it to my father; he asked me where I got it, I told him I had stolen it; he said nothing. I went down Vernon-street into a shop, went round the counter to see if there was anything in the till, it was empty; I took two pounds and a half of white sugar; sold it to Mrs. B. for 13 *d.* I next took out of a shop an eighteen-pence loaf; sold it to Mrs. B. for 8 *d.* My brother and I took a leg of mutton out of a shop in London-road; sold it to Mrs. B. for 1 *s.* 9 *d.* I never

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I never saw 'Jack Sheppard' performed; I have heard the boys speak of him; he was a wonderful chap. My mother has a picture of him hanging up in our house, he has got a lantern in his hand.

"50.—*E. F.*, 18. I have been twice in prison. I had only been in Liverpool two days; I come from Manchester; I was born there. I have been at all the theatres in Manchester; it was going to theatres that first led me into bad company. Sometimes when I could not get money from my parents, I used to steal it. I took anything I could get. I came to Liverpool races; my father is a respectable attorney. I was taken into custody for picking pockets.

"51.—*H. T.*, 19. I have been twice in prison. I was only in Liverpool two days. I came from Manchester to the races; I had no work. I have been at all the theatres. I used to earn 11 *s.* when in full work. I have robbed my parents to satisfy my desire to go to the theatres; I began very young to frequent them; it was the theatres that first created in me a desire to steal, and the cause of my getting into bad company. I was brought here for making an attempt to pick pockets; I had no money, and was without food. I have seen 'Jack Sheppard' performed; I think it will be the means of inducing boys to copy his tricks. I have read his Life; many boys have it.

"52.—*G. J.*, 18. I have been three times in prison, and once in bridewell for safety. I have been at all the theatres, and often at the Sanspareil. My cousin first took me there; his father was on the 'spree' (drinking); he was asleep; he took money out of his pocket; we went to the Sanspareil; it was after 11 o'clock when we came out; my father leathered me with a stick when I got home; however I used still to go with my cousin. I saw everything that was bad there. I never stole money to go with. I was first brought into bad company by going to the theatres. I have been at the penny hop in Hood-street. I have seen 'Jack Sheppard' performed. I do not recollect any particular part that pleased me most; he was a clever fellow.

"53.—*T. A.*, 18. I have been five times in prison. I have been at the Sanspareil and at all the theatres; I have also been at the penny hop in Hood-street, and the shows at the Custom-house. I did not care what I did to get the money to go to those places with. I went to the Sanspareil first, and it was there I first met with bad boys. I have seen shawls and hats taken from people going down stairs. I have seen boys creep under the seats to pick pockets; sometimes they cut them off. The first thing I did that was bad, was taking 6*d.* from my aunt; I took it out of her pocket when asleep; I went to the Sanspareil with it. I have slept in haylofts when it was so late in loosing, I was afraid to go home. The first time I was brought to prison was for taking three seal skins from my master, to make into money to go to the theatre. I am sure had I never known the theatres I should have been quite a different character at this day. I have heard 'Jack Sheppard' performed; I was very fond of it; I had his Life, but some boy took it from me; most boys have his Life.

"54.—*G. G.*, 17. I came from Manchester to the races. I was taken into custody when I had only been in Liverpool two days. I was taken up for attempting to pick pockets. I never was in the New Bailey in my life, or at any other place. I have been at the Queen's Theatre, Manchester. I got the money out of my wages. I was first led into bad company at pitch and toss. Theatres are very enticing. I never saw 'Jack Sheppard' performed; I have read his history; I have seen many boys buy his history; I borrowed mine from another boy.

"55.—*W. C.*, 18. I have been twice in this prison, once in Kirkdale, and once discharged from bridewell. I never was at any theatre or show, my parents would never let me go. I served seven years to a sweep. I was induced to do bad things by seeing the other boys throw flat irons or candlesticks, or anything else into the soot bag; we used to do it at any any house if we had an opportunity; by those means I was led to do such tricks myself. We used to pawn the things at M. I often played at pitch and toss. I have heard boys talk of 'Jack Sheppard;' he was a wonderful man.

"56.—*B. C.*, 18. I have been eight times in prison. I have no parents, no home; I have been frequently at the Sanspareil, and at all the theatres; I have been at the hop in Hood-street, and at the shows at the Custom-house. I had no way of getting money but by stealing it; had it not been for plays and shows I do think I should never have committed theft; I have seen boys steal hats and shawls from the people when they have been going down the stairs at the Sanspareil. The first thing I stole was a handkerchief; the next a gown; I pawned the things I stole at different shops; I took the money to the theatres. I have sold things to a Mrs. C. in a court in Preston-street; I have sold a many things there. I have often played at pitch and toss; I used generally to lose; we sometimes borrowed and lent to each other; when our money was done we used to steal more. I have seen 'Jack Sheppard' performed; I don't think anything of it.

"57.—*J. G.*, 18. I have been five times in prison, and discharged twice. I have been at the Sanspareil and Queen's Theatre; I never was at the penny hop, Hood-street; I generally stole the money to go with; they have been my ruin. I have often played at pitch and toss. I believe the first thing I stole was for money to go to the theatre; I was taken into custody for stealing out of a shop.

"58.—*W. M. G.*

"58.—*W. M. G.*, 17. This is the first time of my being in prison; I was once in bridewell, but discharged. I have been so often at the Sanspareil, I cannot tell how often; I have been at the Amphitheatre, Liver, Queen's, as often as I have fingers and toes. I was a sweep; we used to get a good deal of money given; I never stole anything; my master was very strict with us, he would not allow us to take the value of a pin unless it was given to us (Mr. Ashton). I never mixed with bad companions at the theatres; I never saw 'Jack Sheppard' performed.

"59.—*J. J.*, 19. I have been eight times in prison. I have been so many times at the Sanspareil, I cannot tell; I have been at all the theatres; I have often been at the penny hop, Hood-street. I have seen boys steal hats off people's heads when the Sanspareil has been loosing. The first thing I stole was from my parents, 3 *d.*, which I took to the Sanspareil. I next stole 1 *s.* from them for the same purpose. I knew a certain party had committed a robbery, and had hid a quantity of boots, shirts, top coats, silver spoons, and silk handkerchiefs. They were stolen from Captain G.'s house, Grosvenor-street; they were hid up a chimney, in the Hollow, in Wash Grove; I went and stole a silk handkerchief from them; I pledged it for 2 *s.*; I did not know the parties who stole them. I sincerely believe theatres have been my ruin. I think nothing of 'Jack Sheppard.'

"60.—*T. P.*, 18. I have been four times in this prison, and twice in bridewell. I have been often at the Sanspareil, I cannot tell the times; I have often been at the penny hop, Hood-street; I did not care how or where I got the money, so that I got it to go to the theatres with. The first thing I stole was sugar out of hogsheads at the docks; sometimes I eat it and sometimes sold it; I sold it for 4 *d.* per pound; I sold it at a cellar in Mersey-street. I have seen boys creep under the seats at the Sanspareil to pick pockets, and sometimes cut them off. I have slept in stables when we have been so late at the theatre. I have great reason to say plays have been my ruin,

"61.—*M. K.*, 17. I have never been in any prison before. I was at the Sanspareil very near every night; I have been at all the theatres; I have been numberless times at the penny hop in Hood-street; my desire was so strong for the theatre, that I have often kept monies from or belonging to my father to go with; in fact I did not care how I got it. I have frequently slept in necessaries and stables with other boys when we have been late out of the theatre; while we were in the stables we often contrived what we should do next. I have stolen horse-cloths from stables we have slept in; I sold them to carters. The theatre was the first thing that caused me to sleep from home, and brought me here. I have seen 'Jack Sheppard' performed; I cannot say I thought much about it, but he was a very deep chap.

"62.—*W. E.*, 13. I was only two days in Liverpool before I was taken. I came from Manchester to the races. I was taken up for picking pockets; I was enticed away by some young men; I was not picking any pockets at the time I was taken. I have been at all the theatres in Manchester; I am sure I got no good at them, except it was getting into bad company.

"63.—*G. T.*, 23. I never was in prison before; I was once in bridewell for being drunk. I have been at all the theatres (not often). I did not make a practice of frequenting such places. I was respectably brought up; my father is a master printer, and one of the oldest. I attribute my falling away to evil practices (the love of drink); that, and that alone has been my ruin. I never took any notice of the play of 'Jack Sheppard.'

"64.—*J. M.*, 19. I have been three times in prison, and once discharged. I have been at the Sanspareil and Amphitheatre; I have also been at the penny hop. The penny hop was the means of bringing myself and many others to prison. I never stole anything for the purpose of going to the theatre. I was first led to do bad things by being kept late at the theatre, and going along with bad companions to sleep, when we dare not go home from the theatre. I have frequently slept in haylofts and stables. The first thing I did that brought me to prison was picking pockets. I am sure the theatres would bring any youngster to ruin: they don't care where they get the money, so that they do but get it to join their companions. I was very fond of seeing 'Jack Sheppard' performed. I have read his Life; I bought it.

"65.—*B. K.*, 21. I have been four times in prison, and discharged many times from bridewell, for being drunk. I never was at any theatre. I once played the violin for a show six months. I was first led to commit myself to evil, through meeting bad companions, playing at pitch and toss; from playing at that, I got to playing at cards in public houses, and by those means got to love drink; these things I attribute as the cause of my ruin. I hope I have now got sufficient to teach me better. I have often heard the boys praise the feats of 'Jack Sheppard.' I should think it put very bad thoughts into their heads.

"66.—*J. H.*, 17. I was never in prison before. I have been twice discharged, and am now waiting for trial. I never was at the Sanspareil or any other theatre. I never was at the penny hop. I have been once at the Zoological Gardens. I never played at pitch-and-toss, nor at cards. I never frequented public-houses or places where they sing. I have heard the 'Life of Jack Sheppard' read; it did not lead me to think of anything good, but I am sure it would lead young folks to do everything bad. The man that I heard read it lived in a house in Gore-street, and sold penny-beer, apples, and other things: it is a house where

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where men and boys meet. I first met with my bad companions by being employed to ride on the Aigburth omnibus to take up passengers: at night the carmen got me to go with them, and spend my money at public-houses.

"67.—*T. E.*, alias *W. J.*, 17. I have been 12 times in prison and discharged—12 or 14 times—and am now waiting trial. I have been repeatedly at the Sanspareil and at the other theatres; if I had never seen them I should not have been here. I have been at the penny hop; it was the first place I ever went to. I stole a fish-woman's shawl out of the market, and pledged it at ——— in Vauxhall-road for half-a-crown. I always stole the money to go to such places with. The greatest amount of money I ever stole at one time was 35*l.* in gold. I immediately cut off to Manchester with two other companions; we staid there a few weeks, and then cut to Stockport and some other places until the money was nearly done; then we came back: the money that is got in that way does not last long. I have sold clothes to P. K. He has two or three small shops about F——— street. He always knew the things I sold him were stolen. When I have been some time and not called upon him to sell anything, when he saw me he would ask if I got nothing in the clothes way, or anything else. He buys from any that is known. I have pledged all the plate I ever stole at M.'s; he knew me very well. I have pledged with him at time and time plate to the worth of 300*l.* or 400*l.* He always knew the same to be stolen. He never gave us more than 2*s.* per ounce, and when he gave us the ticket, he would wish us to chew it or sling it. He would say, 'You have fenced them, and you know I shall not let you have them back.' I never saw 'Jack Sheppard' performed; I have often heard speak of him. I don't think anything of him; there is better men now than ever he was: if prisons were only now as they were in his day, his tricks would look foolish. I used to play at pitch-and-toss when I was younger: I have many times lost my school-wages in that way. My first commencement of stealing was at Saint John's Market; apples, oranges, then beef and cheese, or anything else; and all this was for money to go to the play with, and to treat my comrades. I am sure if the mayor knew how many young thieves are made in the market, he would put a stop to little boys going in. I know I was ruined by going there.

"68.—*J. T.*, alias *W. D.*, 16. I have been nine times in prison, and three times discharged. I am now waiting trial. I have been at the Sanspareil I cannot tell how often, and at all the other theatres. I have been frequently at the penny hop, and anywhere else where there was anything of that sort. I have seen 'Jack Sheppard' performed: I think there is none like him; but prisons are not so easy to get out of at this day, or else I believe there might be some as clever as Jack. The first thing I did for money to go to the penny hop was stealing lead from an old house: I sold it for 1*s.* 2*d.* The first thing I was committed for was stealing clothes from a shop door. I have often sold things to Mrs. B., N—— street; Mrs. B., H—— street; Mrs. N., P—— street, and at Mr. J.'s, F—— street, next shop but one to the timber-yard. I have known many boys sell things to Mr. J. I attribute my first committing crime to have arisen entirely from a desire to go to plays. I never was given to playing at pitch-and-toss.

"69.—*M. S.*, 18. I have been eight times in prison and twice discharged, and am now waiting trial. I cannot tell how many times I have been at the Sanspareil, I have been so often. I have been at all the theatres in the town. I have been at the penny hop. It was the first place I went to see. I always stole the money to go with; I did not care how I got it so that I got to the plays. I have seen boys creep under the seats at the Sanspareil; have crept myself to pick pockets. I used generally to pledge the things I stole at M.'s, I have pledged many things for which I never got a ticket. M. knows me very well; he has told me to get out of the way when there has been any noise about anything that I have pledged; once in particular, respecting two jackets pledged for 20*s.*; I went to his shop to pledge a handkerchief a day or two after, he told me to go out and get out of the way, as there was a noise about the jackets. I have sold things to Mr. K., clothes-dealer, I am here for some clothes I sold to him. I went to K. and asked him if he would buy so and so; I told him they were stolen; he said, 'Never mind, I can send them to Ireland.' I went for them; there were two Mackintoshes, two black surtout coats, and a pair of trousers. He looked at them very closely, and asked me what I wanted for them. I asked him 1*l.*; he said that was too much, but he would give me 12*s.* I told him it was too little, and offered to go away. He then gave me a cap edged with sable worth 6*s.* and the 12*s.*, and I gave him the share of 1*s.* worth of rum at B.'s, in N—— street, the next door to Mrs. B.'s. While he was examining the Mackintoshes he found the name of M. E. M. on the seam of one of them. He took the name out in my presence; I could point out the place. I have sold things to Mr. B. and Mrs. B. I have seen 'Jack Sheppard' performed: I am sure, if anything, it encouraged me to commit greater crimes. I thought that part the best where he robbed his master and mistress, Mr. and Mrs. Wood; he broke through the window with a bar of iron, and went to Mrs. Wood's bed-room, and got a large purse of money; Mrs. Wood screamed out; Blueskin struck her; she fell, and they got away. But Jack was afterwards taken for the robbery and committed to Newgate. I was at first led to steal on purpose to get money to go to the plays and singing rooms.

"70.—*R. S.*, 18. I have been five times in prison and twice discharged, and am now waiting trial. Scores and scores of times have I been at the Sanspareil, and many times at all the theatres. I went to the penny hop the first; I saw so many boys going which gave me a desire to go also; to accomplish my end, I stole some iron, and sold it for 2*d.*, and went to the hop. This increased my desire to see the Sanspareil. I have heard tell of boys

creeping

creeping under the seats to pick pockets. I have seen cloaks taken off people's backs when going down the stairs. I have seen 'Jack Sheppard' performed: I thought he was a capital example for those that followed the trade. I did not learn much at the sight myself, but I think it was very likely to encourage younger boys. I think the greatest amount of anything I ever stole at one time was a pair of woman's boots; I pawned them for 2*s.* at M.'s; it was my general pawning shop. They do not refuse anything I take. I have pledged things without getting a ticket; I have asked, but could not get one: I have been desired to chew tickets before I have come out. I am certain it was a desire to go to the theatres that first brought me to ruin.

"71.—*J. F.*, 19. I have been six times in prison and once discharged. I am now waiting trial. I have been at the Sanspareil so many times I cannot number them; it was the first place of the kind I went to. I have been at all the theatres, and numberless times at the penny hop. I never played at pitch-and-toss or at cards. I cannot tell you what it was that first led me to commit crime. I always slept at home. My father looked well after me; and had I taken his advice, I should not have been here. I never saw 'Jack Sheppard' performed. I have heard speak of him; I suppose he went on the highway; that's all I know about him.

"72.—*T. E.*, 19. I have been nine times in prison and once discharged, and am now waiting trial. I have been at the Sanspareil and Theatre Royal. I never was at the penny hop. I have played at pitch-and-toss and at cards. I believe I was first led away by bad companions, which I met with in Heath-street. I never saw 'Jack Sheppard' performed. I have read his Life, and heard a good deal about him. I think that those who read his Life are not likely to reap any good, or those that see the play performed, I am sure will get no good. I generally pledged the things that I stole. I did not sell them. I was not particular to any pawn-shop, so they would take them.

"73.—*H. C.*, 16. I have been in prison only this time. I am waiting trial. I am committed for robbing my master. I never was at any theatre; never played at pitch-and-toss, or at cards. I never frequented public-houses, or any place where there is singing, such as J. W.'s. The cause of my being here was by getting acquainted with a young man at a neighbouring druggist's shop, who had often invited me to go with him to the theatre. I told him I had no money to go with; he said 'I will pay for you.' I told him I could not go, for should I be out of my lodgings after nine o'clock, I could not get in; he said, taking me by the arm, 'You can sleep with me;' but I left him and went home. The next day he came to me again, and told me I was like no one else; I should take some of my master's money if I had a chance, and enjoy myself; and having so often heard of the plays, I began to have a desire to see them. The next morning, while my master was out in the yard, and having left his coat upon the bed in the parlour, I went to his pockets, took out five sovereigns, and went immediately to find my companion at the druggist's shop, but could not find him. I once thought to go back and give the money back to my master and tell all about it; but I thought he would likely lock me up, so I set off to Dublin. Master followed me and took me. It was nothing but the advice of the young man, and a desire to enjoy myself like other boys at the theatres and other entertainments, that caused me to commit the offence I am now in prison for committing.

"74.—*M. F.*, 19. I have been six times in prison and four times discharged, and am now waiting trial. I have been so many times at the Sanspareil I cannot tell exactly. I have been at all the theatres. I never was at the penny hop; it is more for the smaller boys. The first thing I stole was half-a-crown from my cousin; it was his rent money: I went with it to the Sanspareil, and treated others. The greatest amount I ever took at one time was about 4*l.*'s value. I generally pledged my things at the bottom of M—— street. I have pledged everything there. He never refused anything I took. I have pledged plate there; he gave 3*s.* per ounce. He would ask me if I should ever come for them; I always said no: he then knew what to do with them. I never sold or did much with Mrs. B., Mrs. N., or Mrs. B.; the last is a very bad woman, but they are more for young ones that are breaking in. I have played at pitch-and-toss, and at cards in public-houses. I have been at J. W.'s and at F.'s to hear the singing. I became very fond of drink, which was the principal cause of my being here so many times. I never saw 'Jack Sheppard' performed. I have often heard and read about him: they all seem to say he was a great man and a great prison-breaker; and when he was at liberty, like a gentleman. I am quite satisfied that my ruin was brought on by getting into company and going to theatres.

"75.—*T. G.*, 18. I never was in prison before. I am now waiting trial. I am sent here for robbing my master. I have been at the Sanspareil, and all the theatres except the Queen's. I never was at the penny hop; never played at pitch-and-toss; never played at cards or any other games. I never frequented public-houses. I have been at J. W.'s many times. It was a desire to have money to enjoy myself like other young men with whom I kept company, and they were not very steady. I believe that was the principal cause of my committing the offence that has brought me here.

"76.—*E. C.*, 20. I have been six times in prison and once discharged, and am now waiting trial. I have been at the Sanspareil, at the Amphitheatre, and Liver. I never saw 'Jack Sheppard' performed. I have heard of him; I have heard people talk about him. Never played at pitch-and-toss. I was very fond of cards. I used generally to play at public-houses; was fond of drink. The cause of my first coming here was by meeting bad companions at theatres and public-houses.

"77.—*P. H.*,

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"77.—*P. H.*, 18. I have been three times in prison and once discharged, and am now waiting trial. I have been at the Sanspareil, I cannot tell how often, and at all the theatres. I never was at the penny hop, but often at the shows at the Custom-house. My first attempt at stealing was apples and oranges out of the market, and then selling them three or four for a penny, for money to go to the Sanspareil. I always pledged my things at B.'s, Manchester-street. He gave us 2 *s.* 3 *d.* for a good handkerchief, but no ticket. He never refused anything I took. I know K., North-street; his sons keep other shops; he will buy anything from those he knows, if he knew it to be stolen: I first commenced playing at pitch-and-toss on Sundays in Spittlefields and Peter-street. Never played at cards. I was very fond of going to H.'s, Hatton-garden; L.'s, Vauxhall-road, and B.'s, Tithebarn-street; these are public-houses where there is plenty of singing. We met as companions. I never saw 'Jack Sheppard' performed. I have heard tell of him, about his robbing and breaking out of gaols and breaking into houses; I never heard much else about him. The first night I went to the Sanspareil, it was so late when I came out, I dare not go home. I slept in a pig-sty. I have slept in necessaries, stables, coaches, and cars. Theatres was the ruin of me; for if I was short of money, other boys would raise me the money, and then coax me with them to steal.

"78.—*A. L.*, 19. I have been twice in prison, and am now waiting trial. I have been twice discharged for being drunk. I have been at the Sanspareil, and at all the theatres. When young, I was fond of playing at pitch-and-toss, cards, skittles, and other games. I was very fond of attending the singing at J. W.'s, H.'s, and L.'s, and fond of drink. I have seen 'Jack Sheppard' performed; have read part of his Life; I thought the play was very interesting; I am sure it did not create in me any bad thoughts, nor increase my desire to follow bad practices. I am quite satisfied the love of drink has been the cause of my coming here.

"79.—*J. R.*, alias *R.*, 19. I have been seven times in prison, and four times discharged, and am now waiting trial. I have been at the Sanspareil and Amphitheatre. When young, I used to go to the penny hop. I have played much at pitch-and-toss. I don't know the cards. I have frequently played at dice at public-houses, for drink. I was often at J. W.'s, F.'s, C.'s, L.'s, and L.'s. I got to be very fond of drink. Never saw Jack Sheppard performed; I have often heard boys speak of him. The first thing I stole was a bag; I sold it at a marine store shop for 2½ *d.* I went twice with that to the penny hop, and bought myself a halfpenny-worth of nuts. It was a desire to play at pitch-and-toss, and go to such places as the penny hop, was my first cause of stealing.

"80.—*J. F.*, 15½. I have been six times in prison, and four times discharged. I have been at the Sanspareil, and all the other theatres, except the Queen's. I have been many times at the penny hop; it was the first place I ever went to. The first thing I stole was a shawl, off a clothes line; I sold it for 7 *d.* to Mrs. B., in a cellar in F—— Street. I have sold things to Mrs. N., P—— Street, corner of Snowhill-street, and to Mrs. N., L—— Street. Never saw Jack Sheppard performed; have read his Life, and often heard speak of him; he was very clever. I have crept under the seats of the Sanspareil to pick pockets; I once got a pocket-book, it had nothing in it but papers; I gave the book to another boy.

"81.—*T. C.*, 10½. I have been four times in prison, and twice discharged. I have been at the Sanspareil, but at no other theatre. I have been a great many times at the penny hop, and at Brundell-street shows. The first thing I took was my best clothes from home; I pawned them at P.'s, at the bottom of W—— Street, B—— Street, for 9 *s.* I spent the money in going to plays, and buying cakes, &c. At this time I stayed away from home better than two months. I never saw Jack Sheppard performed; I have heard boys talk of him, and have heard my father read his Life. I have heard boys say, when people were in their houses Jack would open their doors, and take things out; they say he was wonderful. I have sold butter and bacon to Mrs. C., Heath-street, in a cellar next a coal-yard. The first time I met with bad company was a boy called R. (transported now). I was fond of playing pitch-and-toss.

"82.—*J. K.*, 13. I never was in prison in my life before, but I have been twice discharged. I have been at the Sanspareil, but at no other theatre. I have often been at the penny hop. I never stole anything but apples. I have seen Jack Sheppard performed; I have heard lads talk about him. I never played at pitch-and-toss. I first got into bad company in the neighbourhood where my parent lived. I have often seen boys steal apples in St. John's market; boys generally meet there.

"83.—*W. D.*, 14. I have been six times in prison, and twice discharged. I have been at the Sanspareil, and all the other theatres, except the Royal. I have been very often at the penny hop. The first place I went to was the Queen's; I picked a gentleman's pocket of his handkerchief; I pledged it at M.'s for 2 *s.* I know Mrs. B.; I never sold her anything. I know Mrs. N.; I have sold her geese at 9 *d.* per piece, about nine pounds of beef for 1 *s.* I sold the following at the shoe shop, top of Preston-street; half a flitch of bacon for 4 *s.* 6 *d.*; beef, mutton, handkerchiefs, or anything else. I have seen boys creep under the seats to pick pockets at the Sanspareil, or cut them off. I have seen 'Jack Sheppard' performed; thought it was very nice, and if I was only as clever I should be thought one of the best of thieves. I thought that part the cleverest, where he takes the purse from the lady, also the taking the snuff-box from Lady Trafford was very good; his method of picking locks and

and getting out of gaol was very good. I first commenced stealing in the market, apples, &c. Meeting boys in St. John's market was the first beginning of my ruin.

"84.—*L. C.*, 14½. I have been seven times in prison at the borough gaol, three times in Kirkdale, and twice discharged. I have been at the Sanspareil, but at no other theatre. I have been numbers of times at the penny hop, and at the shows that was at the Custom-house. I stole either money or else something to sell for money. The first thing that I stole was apples and oranges, out of the market; these I sold when I had got a small stock, and with the money went to the Sanspareil. I generally sold the things to Mr. B. and to Mrs. B. I never saw 'Jack Sheppard' performed; I have heard speak of him; the boys that have seen it at the plays say he is a wonderful chap in robbing and breaking out of prison. I am fond of playing at pitch-and-toss; we used to play in North-street and Lace-street. I was first led into bad company by playing at pitch-and-toss, and going to the penny hop.

"85.—*J. D.*, 15. I have been six times committed to prison, and five times discharged. I have been at the Sanspareil for three seasons, about 30 times each season; I have been at the Amphitheatre and Queen's, and repeatedly at the penny hop, in Hood-street. I never saw 'Jack Sheppard' performed; I have often heard the boys talk about him; they used to say he was one of the cleverest robbers, he could get out of any prison, or do anything. I used to travel with my father; he sold salmon, and all sorts of fish; I cabbaged money from him, on purpose, when I got home, to go to the plays with. I have taken as much as 15 *s.* from him on one journey. It was at the plays I first met with bad companions. I soon after this got taken into custody at the George Pier Head, for picking a lady's pocket of 3 *s.* 6 *d.* After this I forsook home entirely, and gave myself up to anything. Theatres, and boys being allowed to play at pitch-and-toss, are the worst things for ruining boys.

"86.—*H. H.*, 18. I have been three times in prison, twice from the sessions, 12 months each time. I have been often at the Sanspareil, I cannot tell how many times. I have been at all the theatres repeatedly: I have often been at the penny hop; I should not have been here now but for the Sanspareil. The crime, that I committed, that I am here for, I did on the Sunday night, on purpose to get money to go to the Sanspareil on Monday night. I took a top coat out of a house; had I not been taken, I could have got 10 *s.* for it; I should have sold it to a milkman who comes down Ford-street every morning with milk to sell; he sends them into Wales; I have known several things sold to him; he used to tell us we need not be afraid of him getting us into any hobble, for he sent them direct into Wales. The first thing I did for money to go to the theatre with, was cheating my mother out of a shilling; I went to the Amphitheatre with it; when we came out it was so late I was afraid to go home; I went to my brother-in-law's rope-walk, broke the door open where he keeps his tools, slept there all night; next morning I went home about half-past nine; my mother would not let me go out until my father came; he leathered me well with a strap, and cut my head. I went to work next morning; at night I met with a girl that is now transported; she pawned her shawl to treat me and herself to the theatre; when we came out we went to her father's, and left together; she kept her father, he was very old. After this I forsook home altogether, and became her bully. From that time to my being brought here I have committed all sorts of crime. I have seen 'Jack Sheppard' performed twice; I think it is a foolish thing, because a female takes the character instead of a man; she was not able to accomplish his ingenious tricks. To the best of my opinion, one half of the boys would not be here, if there was no such places as theatres. If I had taken your advice when I went out last time, I should not have been here.

"87.—*J. J.*, 21. I have been about eight times in prison, and many times discharged. I have been twice or three times at the Sanspareil; I have frequently been at all the other theatres. I never was at the penny hop; it is for younger boys. I have seen 'Jack Sheppard' performed; I do not think anything good of it; I noticed them picking one another's pockets upon the stage; it gave every one a great insight how to do it. I was in London when I saw it performed at the Pavilion Theatre. If I did not know how to do such tricks, when I went into the theatres, I am sure I should when I came out. I am sure it would be a very great inducement for boys to imitate the example shown. I think the first thing I did for money was to take 9½ *d.* from my mother. I do not recollect many of my first exploits, it is so long since, but I am sure the principal inducement to steal was for money to go to the theatre with.

"88.—*E. B.*, 18. I never was in prison before. I have been at the Sanspareil, and at all the other theatres, except the Queen's. I never saw 'Jack Sheppard' performed; I have heard the prisoners speak about it many times: some would speak well of the play, others would say it was most of it false. I have read his Life; I think myself it is mostly false; there may have been such a man, but I think he could not go through all the exploits that is spoken of. I was never acquainted with any bad companions. The cause of my committing crime was to obtain money to go to the theatres and other places of amusement. I was very fond of meeting young friends at public-houses, to play at cards; so those things combined was the cause of my being here.

"89.—*J. H.*, alias *J.*, 18. I have been three times in prison, and once discharged from Bridewell. I have been so often at the Sanspareil, that I cannot tell the number of times.

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I have been at all the theatres. I have been at the penny hop when I was much younger; it is a breaking-in place for boys; after that they must steal to get to the Sanspareil. I have seen boys creep under the seats at the Sanspareil, and have crept myself to pick pockets. I have seen pockets cut off. I have seen shawls and hats taken when the throng have been going down stairs. I have seen 'Jack Sheppard' performed three times at the Sanspareil, and twice at the Liver. I thought it was a very fine thing for young lads like me, to show us how to manage. I thought the best part of the play was, where Jack was behind Jonathan Wild's top coat, in Jonathan's room. Jonathan thought Jack was in prison, but he had broke out, and got into Jonathan's room unknown, and was listening to Jonathan's conversation. The penny hop was the first thing that drew me into bad company. I got the first two or three pennies honestly; after that I was so much enchanted with the place, and had such a desire to go, that I stole from my mother. I stole from a shop door a pair of trowers, and sold them in P—— for 1 *s.* 6 *d.*; with this I treated other boys to the hop. I have slept in necessaries and stables often. I have been very fond of playing at pitch-and-toss. St. Andrew's-street is a great place for boys to meet at for that purpose. The greatest amount that I ever got at one time was about 10 *l.* I have been two voyages to sea; I should have been at sea now if I had not met with some of my old acquaintance at the Sanspareil. While my money lasted on shore all was right, but when the money failed, I then pawned my ship clothes while they lasted, and then I commenced to take the mate's, when I was caught. I think I have reason to curse such like places.

"90.—*J. H.*, 14½. I never was in prison before. I was taken into custody for attempting to rob my master. I have been at the Sanspareil, and at the shows at the Custom-house. I had the money given me. When I was at the Sanspareil I did not know any boys there. I never saw 'Jack Sheppard' performed; I have read part of his Life; I think he was a clever man; I don't know that reading his Life created any difference in my mind; the cause of my stealing was to satisfy a desire I had for fruits of all sorts. I had no companions.

"91.—*J. D.*, 16. I have been four times in prison, and twice discharged from bridewell. I have been at the Sanspareil, but at no other theatre. I have been at the shows at the Custom-house many times. I was first brought into bad company in the park, by mixing with boys to play at pitch-and-toss. The first thing I stole was some loaves; I sold them to R., marine-store, P—— W—— Street. I have been at the Sanspareil, but at no other theatre. I was often at the shows at the Custom-house; I saw many bad boys there."

The suppression of low fairs in the neighbourhood of the metropolis has caused many of the itinerant shows to become fixtures in large provincial towns, among which Liverpool seems to be specially favoured. Some convenient unoccupied spot, off a great public thoroughfare is selected, from whence they are irremovable, except at the wishes of the owners, which I regret to state, are not always in concurrence with those of the authorities charged with the duty of protecting persons and property. The flaunting exterior of these shows attract crowds of children about them in the evenings, and must be added to the already too numerous temptations in the markets and streets. Nor are the objects represented of that innocent and elevating character which should mark the amusements of those of younger years. If they do not directly corrupt the mind, they tend to its vitiation, by familiarizing it with scenes of grossness, crime, and blood, all presented with a revolting coarseness. The murders of Maria Martin in the Red Barn, by Corder, of Hannah Brown, by Greenacre, and other similar atrocities, are among the most common exhibitions.

Extracts from Schoolmaster's private Journal, New Bailey, Salford, and Examinations of Boys.

"Jack Sheppard.—Saturday, 30 Nov. 1839. Went to witness 'Jack Sheppard.' About 500 in gallery; 100 or 200 in other parts. Every evil passion at play in gallery, cursing, fighting, quarrelling, and associations of girls and boys. About 200 boys under 16 years of age. Spoke to some Sunday-school boys; came there for first time; had heard of it; teachers did not know of their coming; wouldn't practise coming; only come once. Some of the boys Protestants, and some Catholics. The performance itself a school for thieves—lessons on villany—training in the art of robbery—murders—pocket picking—cant expressions—pal—cracksman—bit—jemmy—cudgel—skeleton keys—escapes from prison—gaolers—gangs of thieves, drinking with females—midnight housebreaking—dark lantern—'Thank you for your coat and waistcoat' (a laugh)—chicken—gin—ale—bribery of officers—'hanging'—'Wait till it comes' (response in gallery).

"Dec. 1, 1839, Sunday. Spoke to chaplain of 'Jack Sheppard.' Said would report to magistrates to-morrow.

"Dec 2. *E. D.*, for trial. Seen 'Jack Sheppard,' and 'liked it very well; a good thing.'

"Dec. 9. *M. G.* said much of the performance of 'Turpin,' at the Olympic Theatre Was

Was nearly drunk when saw it. 'Thought, if he was like Turpin, would not get into prison.'

"*H. D.* said to-day, 'Please, can you put me anywhere else from among these lads in No. 1. They are always talking about thieving. I wish to be a good boy when I go out.' Poor boy! he must be made a thief, against his will, by means of prison discipline!

"Dec. 5, 1839. Examined the boys on the subject of the theatre. Forty boys present; misdemeanants.

15	boys present been at	Queen's theatre.
13	„	Olympic theatre.
5	„	Theatre Royal.
33		

Six saw 'Turpin' performed; five 'Jack Sheppard,'—'It teaches us what we did not know,' observed one boy.

"Dec. 10. Forty-six boys. *E. C.*, a first offender, been to see 'Jack Sheppard' and 'Turpin;' liked them well.'

"Thursday, July 9, 1840. *M. B.* states that *B.*, and *J. W.*, 12 years of age, were committed to lock-ups for same offence. When *W.* was taking the bricks out of the lock-up wall, he said, on taking out each brick, 'Here's young Jack Sheppard—here's Jack Sheppard—here goes Jack Sheppard.' He then asked a prisoner to lift him up, and put his feet through the hole, which he did, and alighted feet first, and got clear away.

"July 13, 1840. *T. W.* admitted, aged 16. Handkerchief—one month. First offender. Seen 'Jack Sheppard' two or three times; liked it very well. On Thursday night went to the Queen's theatre; saw the 'Wandering Boy,' and other things. After all was over, went to the Concert Tavern about 12 o'clock at night. Picked a gentleman's pocket of a silk handkerchief. 'Jack Sheppard picked a pocket well.'"

Examination of Boys in the New Bailey by the Inspector of Prisons.

"*J. W.*, aged 15. Father and mother were weavers; both dead. His father has been dead 12 years; his mother was in bad health for four years, and receiving parochial relief. He worked at Mr. ——'s factory for seven years. Was once before charged with throwing stones before the Borough Court; was throwing a stone, and broke a window. A boy working in the same factory persuaded me to leave work and go away with him into Yorkshire. We set off and the weather was so bad, —— said he could not stand it, and went home. I took a bottle of pop from a stand, that the policeman might take me up, which he did, and I am sent here for a month. I attended the Lancasterian Free-school for a year. I never was at the play but once. The boys at the factory were singing, 'Nix my dolly, pals,' and I heard a great talk in the factory about it, and this made me pay 6*d.* at the play-house to hear it. I thought after I was in I would rather have my sixpence. I used to earn 6*s.* a week in the factory.

"*J. L.*, aged 14. Father dead; he was a sticking-plaister and pill-box manufacturer, and used sometimes to earn 35*s.* a week, and was employed all the year round. I used to be errand-boy at the factory, at 5*s.* 6*d.* a week. The first time I was ever at the theatre was to see 'Jack Sheppard.' There were two or three boys near to the house who were going, and they asked me. Mother said I might go once, but not more. I took 6*d.* from the money I used to lay up weekly for clothes. The next time I went, which was the week after, I borrowed the money from a boy; I returned it to him the Saturday after. I then went many times. I took the money from my mother out of her pocket as she was sitting down, and I beside her. There was more than 6*d.* in her pocket. I got a great love for the theatre, and stole from people often to get there. I thought this 'Jack Sheppard' was a clever fellow for making his escape and robbing his master. If I could get out of gaol I think I should be as clever as him; but after all his exploits he got done at last. I have had the book out of a library at Dole Field. I paid 2*d.* a book for three volumes. I also got 'Richard Turpin,' in two volumes, and paid the same. I have seen 'Oliver Twist,' and think the Artful Dodger is very like some of the boys here. I am here for picking a pocket of 25*l.*

"*H. C.*, aged 15. Father and mother alive. Father is a traveller for an ale and porter brewery; mother keeps a public-house in ——. I have one brother six years of age. Father is a Protestant, mother a Catholic; been at both schools. I used to go to a Catholic chapel. Father has been neither to church nor chapel for some years. I have frequently robbed my parents to buy sweets and go to the play. The first time I went to the play was at Preston, with father and mother, on New Year's night. About a year after, when we came to Manchester, I went to the play, and saw 'Jack Sheppard' the first night it came out. There were pictures of him about the streets on boards and on the walls; one of them was his picking a pocket in the church. I liked 'Jack Sheppard' much. I had not been in prison then. I was employed in a warehouse at 6*s.* 6*d.* a week, and was allowed 6*d.* out of it

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it for myself, and with that I went regularly to the play. I saw 'Jack Sheppard' afterwards four times in one week. I got the money out of my money-bag by stealth, and without my master's knowledge. I once borrowed 10*s.* in my mother's name from Mrs. ——, a shopkeeper, with whom she used to deal; I went to the play with it. Mother found it out about a month afterwards, and beat me, but did not tell my father; he does not know it now. I then took a watch and pawned it for 10*s.*, and was found out, and sent here for two months. It is not six months since I left prison; I have been to the play since, and am now here on suspicion of stealing a gold watch."

This boy born of respectable parents; reads and writes well.

"*J. L.*, aged 11. Has been four times in the New Bailey. Father and mother alive; they are fustian-weavers. Was at a day-school for six years. Has lately been at a silk-mill, earning 3*s.* a-week. Has been to the play twice and seen 'Jack Sheppard.' Went with his brother the first time, and by himself the second. I took the money to go a second time out of mother's house off the chimney piece, where she had left a sixpence. It was the first night 'Jack Sheppard' was played. There was a great talk about it, and there were nice pictures about it all over the walls. I thought him a very clever fellow; but Blueskin made the most fun. I first went to the markets, and begun by stealing apples. I also knew a lad, ——, who has been transported, and went with him two or three times. The most I ever got was 10*s.* out of a till."

This boy reads well.

House of Correction, Preston.

The accompanying statements were taken by the chaplain of the house of correction at Preston, separately, from three boys whom I found in the prison under sentence of transportation in December last. Their cases are most extraordinary, they being in a respectable condition of life, far removed from want, residing with their parents or masters, and the sole motive for their committing the numerous robberies traced to them, appears to have been to emulate the exploits of Jack Sheppard. The superintendent of police at Preston states that they had been committing robberies, for nearly two years, without detection or even suspicion. That 17 robberies had been committed by them, of which 15 were for breaking and entering, where the cases could have been made out against them. The largest amount they obtained was about 20*l.* They would, after entering houses, sit and drink and enjoy themselves, and destroy property when not able to find anything removable. On one occasion they destroyed machinery to the amount of 15*l.*, on another they eased themselves upon a quantity of cotton.

Statements of *J. H.*, aged 18 *J. S.*, aged 17; and *J. C.*, aged 17; under sentence of transportation.

"*J. H.*, 18. Father sells fish; mother dead three years. Has been four years apprentice to Mr. Penny, cabinet-maker. Lived with his father and two sisters, who kept the house. Father was a very sober man and used to attend public worship regularly. Mother was a good woman, and endeavoured to give me religious principles; had she been living should not have been here now. Attended the Orchard day-school. I assisted in teaching in the day, and the master taught me at night in return. I learned writing, reading arithmetic; attended also the Methodist Sunday-school. When I left school I went to Mr. Banks, bookseller, two years. I had good opportunities of reading then, voyages and such; read the Life of Jack Sheppard. I borrowed it from another boy. After leaving Banks went to Penny, cabinet-maker. I had just entered into the fifth year of my apprenticeship, and was to receive 7*s.* a week, which had been raised from 2*s.* 6*d.* I read 'Jack Sheppard' about five months before I began the robberies. I saw 'Jack Sheppard' played twice. It excited in my mind an inclination to imitate him; the part was well acted at the play. I read how he got into places; and I had a wish to try if I could do the same. The play made the greatest impression on my mind. A few weeks after I saw the play, I committed the first robbery. 'When the scene is hoisted, he is carving his name on a beam which goes across the shop.' I wrote 'Jack Sheppard' on the shop beam, just as it was in the play. It occurred to my mind that his trade was like my own—a carpenter. I often thought about it when I was at work. J. and me were always thinking and talking about it at the shop. Sheppard used to follow carding, and that set us 'agaite.' K. used to encourage us to card. It was K. who first told us how to get into Ogle's. K. used to talk about breaking into places; he is run away. Pollard's was the first place we got into. S. was not always with us; he was not with us at Trelfoll's, ironmonger. We got in at the back cellar door; it was not fastened. We got into the kitchen and the shop. We got 10*s.* and three or four knives, and a silver thimble. The other places are those mentioned by S.; at Parkinson's we got a travelling cap and a pack of cards. We continued to talk about Jack Sheppard, and said we were getting like Jack and his companions. 'I am quite convinced that if I had never seen the play I should never have got into this trouble.' The play did me far more harm than the book. We did these things for the name of the thing: we were not short of money. We thought we should be found out if we did not give it up, and we made up our minds to separate from each other. I trembled when we were getting into Pollard's; we gradually grew bolder. We spent most of the money at K.'s. I owed him 9*s.* and paid him out of Ogle's. We went to Langridge on Sunday, C. and me, with two girls; they were not bad girls.

girls. I have made up my mind to make a reform. I think the playhouse does a deal of mischief. I have known boys (apprentices) to steal money from their masters to go to the play."

"*J. S.*, 17. Father a warper with E. Jackson, and a respectable man. Mother a religious woman. Lived at home. Parents attended chapel as regularly as possible. Never punished by parents for doing wrong, because he never did wrong; attended the Independent Sunday-school three years, also the national school three years (at the same time). Learned to read and write. Can read and write still. Has read much since he left school; read the 'Life of Nelson' and 'Gilderoy'—a play-book, which gives an account of robberies and escaping out of prison; also some story books. Only been three times to the theatre. Can't recollect the name of the first play; the second was 'Jack Sheppard,' and the third was 'Jack Sheppard.' I thought Jack Sheppard a fine, sharp fellow. The first place we broke into was Pollard's warehouse in ham-street. This was shortly after I saw the play. H. proposed to do it. H. and C. went together a good while before I had anything to do with them; they got 15*s.* at Pollard's. The next place was Leach's, the bread baker, (C.'s master). C. let us in, and let us up into the warehouse; my share was 24*s.* (10 o'clock at night). The next was Parkinson's corn warehouse, St. John-street. We got in by means of a centre-bit through the door under the cellar-lid, so that he was out of sight. We (C. and me) sat on the cellar lid. We got 15*s.* The next was a corn warehouse (Archer's), corner of Lord-street; the cellar-door was left open; C. and H. went in; I remained outside; 2½*d.* was all they got. The next was another corn warehouse in Lane-street (Porter's). H. put his hand over the top of the door, which did not fit close, and removed a sneak; this was the cellar-door (about 9 o'clock). They gave me 2*s.* The next was another corn warehouse, Seth Walmsley's or Fair's; they got into the cellar, but told me they could not get any further. The next was John Penny's, coach-maker; H. cut away the lead off the window, and then put his arm through the opening and removed the fastenings of the door; C. was not there. We both went in and found some paint brushes, and a piece of cloth. The next was Mr. Ogle's, the Beehive, at Cheapside. H. bored into the cellar-door, as in former cases; 5 o'clock in the morning; my share was 20*s.*, besides a handkerchief and some other things; I stopped out. The next place was Ogle's, the bookbinder's, about 10 o'clock. His (Ogle's) shop was under our master's shop; the shutter did not fit close, and H. pushed up the bar with his rule; we got 25*s.* altogether. I spent my money in confectionary; I got bolder every time. H. often compared us to Jack Sheppard and his comrades; he said we had gone through as much as Jack Sheppard very near. H. and C. spent their money in going to Longridge twice; they took two young girls with them, both of whom work in factories. I had begun to learn to drink, but I did not like it. H. seemed always to have Jack Sheppard in his head; He printed his (Sheppard's) name on the shop beam with a piece of chalk, the same as Jack Sheppard does when the first scene opens. When I used to think of what I had done, I used to tremble very much; but I never did so at the time of the robberies, except at Leech's. I intended to have saved the money, and to have had a pleasure trip to Liverpool. C. and H. did save some. I looked on H. as the ringleader. I never neglected my business all this time, except one afternoon, when H. and me went round by Walton and the waterside. Master summoned H. for neglecting his work, and punished me by keeping me out of work half a day, and 'bating' me a day. He was considered clever at his work. My wages were 5*s.* a week. I have three sisters and one brother; we live in comfort at home; I have food and clothing enough, and kind parents. I never could sleep the night after one of these things had been done. H. and C. used to find the places to be robbed, and lay the plans. C. and me had made it up that Ogle's, the bookbinder, was to be the last robbery. I believe the other two committed some robberies both before and during the time of my associating with them. My parents used to talk to me and caution me against bad company; I always thought they could see something going wrong. When my parents knew I had been to see 'Jack Sheppard' they gave me a good talking to, and said I could not have gone to a much worse thing."

"*J. C.*, 17. Apprentice to a baker; both parents living; father a master tailor, employs two or three men; has eight children in all; seven live with him; he sometimes gets tipsy. Both parents attend chapel (Independent) regularly, and they have punished me for not going to chapel. Attended a day-school for seven years; learnt reading and writing and arithmetic, and a little mensuration. Can read well now. Attended chapel regularly up to the time of my apprehension. Did so for the sake of his parents. Father would have punished him if he had not done so; has been apprentice nearly four years; master never had occasion to punish him for misconduct. For the first year or two of my apprenticeship I spent my evenings sometimes in the streets, sometimes in reading at my master's. Did not sleep at home during my apprenticeship, but with my master, because our work was very often in the night time. The first beginning of my bad conduct was seeing a play acted at the theatre in Fishergate; and then we (*i. e.*, H., S., and J.) started a making it up how we could break into places. This play was about a highwayman; so we thought we would try to do as he did; H. was the first to begin talking about it. We thought it was a better way of getting money than working. We often talked about Jack Sheppard, and said we could like to be like him. The first place we broke into was Pollard's; second, Leech's (my master); third, Parkinson's; fourth, Archer's; fifth, Porter's; sixth, Fair's; seventh, Trelfoll's; eighth, Ogle's (Beehive); ninth, Ogle's, bookbinder. The last Ogle's was three weeks before our apprehension. Fair's and Porter's were both on the same night; Parkinson's and Archer's was within a night or two of each other. I trembled very much at Pollard's,

Appendix, No. 2.

Pollard's, but got bolder as we went on. I kept thinking more and more that we should be found out, but we could not stop. We spent our money at *K.*'s, and sometimes by going into the country in a car; H. and me and two girls. We often said we thought we were good Jack Sheppards. H. often used to say he thought we had done almost as much as Jack Sheppard. We also saw 'Jack Sheppard' acted at the theatre in Chadwick's Orchard. A great many lads and girls from the factories went to see it at Chadwick's Orchard. The admission at Chadwick's Orchard was 3*d.*; at Fishergate, 6*d.* We once saved some of the money we got at my master's, thinking of going to the Liverpool races, but we spent it at K.'s. Whenever Jack Sheppard did a clever thing at either of the theatres the people used to clap and applaud; it was that clapping that set me off a good deal. My master found me in clothes and meat, and 'spending brass.' Some weeks 1*s.*; some 6*d.* Master was good-natured and kind. My parents never suspected that anything was going wrong. Kept to my work all this time. We used to plan most of the robberies in the streets, but K. was the first that put the Beehive into our heads. He called me to him at his stand in the market (which was nearly opposite the Beehive) and told me he could tell us how to get into the Beehive, and there would be plenty of money there, viz., through the cellar door. He afterwards told me to get him some brass weights from the stalls in the market. I got him six altogether; he gave me 2*d.* in money and some fruit for them. We used to brag and laugh with him about the robberies that had been done, but we never told him the particulars.

Treatment of delinquent children.

The satisfactory treatment of children, when sentenced to imprisonment, is replete with difficulty, it being necessary for the sake of public example, to carry out the ends of justice with a certain degree of penal rigour, and at the same time combine with it a course of moral training, which can only be inculcated through the agency of mildness, pursuasion, and confidence. I am of opinion that, whenever the number of delinquent boys will admit of it, they should be kept wholly and entirely separate from the adults. So long as old and young remain together they must be treated alike; and I know nothing more likely to confirm children in bad habits than to attach the same gravity and consequences to their unconfirmed errors as to the vices of those of maturer years. The boy charged with a felony is frequently thrust into a class with, perhaps, 15 or 20 adults, whose offences bear the same legal distinction as his own. His self-love is flattered in being treated the same as a man, and he is excited to a closer imitation by this his miserable elevation. I have never failed to observe in such cases a degree of boldness, effrontery, and assumption which I have not met with in any prison where men and boys are separated.

I consider such labour as the tread-wheel and picking oakum as not suitable for criminal children; such may harden or depress, but will never improve either the old or young. I recommend the magistrates of Liverpool to discontinue the latter employment for boys, and to put them to the acquiring of some useful occupations, such as shoemaking, tailoring, &c.; and that during the winter months their hours of active life should be prolonged by the introduction of gas-light into the work and school-rooms, instead of locking them up at dusk, and engendering idle habits by allowing them nearly 14 hours of undisturbed rest. I have, in another portion of the present Report on the borough gaol, referred to other evils, which the sedentary character of the discipline may, perhaps, have promoted.

I think it not unworthy the consideration of the justices, in the notorious want of sufficient accommodation in the borough gaol, whether it would not be desirable to build a separate and distinct ward for boys on the spare ground adjoining the prison, by which a more complete separation would be obtained, and much that is defective in arrangement supplied.

I am satisfied that much good would arise if more attention was everywhere paid to the circumstances of juvenile delinquents on their discharge from prison. When their friends can be ascertained, previous notice should be given to them of the hour of the prisoner's discharge, and a desire expressed that they should attend to receive them. In cases where they are friendless and destitute, instead of turning them outside the gaol without even the means of providing themselves with a meal, they might be placed in the workhouse for safety. It is not uncommon for children discharged from gaol in the morning to be returned thereto the next.

It is quite in vain to suppose that any discipline however rigorous, any moral training however effective, will, from their temporary application in prison, make such an impression upon children as to protect them from relapsing into crime when returned into their former atmosphere of want and temptation. In the great majority of instances, I do not hesitate to affirm that the only means by which the reformation of such can be rationally expected, is by their thorough and permanent severance from those scenes and associations in which their evil habits were formed. Although suffering from hunger and misery, it must not be supposed that the lives led by these delinquent children are void of pleasurable sensations; the very alternation from one extreme to another, keeps the mind in a state of feverish excitement; the want of a copper to buy food on one day is more than compensated by the reckless profusion of the next; and the despondency created by privation and long suffering is speedily supplanted by exultation on the success of some criminal feat of daring and dexterity.

In the selection of occupations for those whom rational benevolence would desire to befriend, I recommend they should be such as may give a fresh impulse and direction to the mind by their interest, novelty, and variety. Among the least exceptionable are apprenticeships in the commercial marine, on board of vessels bound to distant ports, settling

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in the colonies, and military service in the East India Company's European regiments. I have much satisfaction in reporting that the municipal authorities of Liverpool have given their zealous attention to this the most important feature of the whole subject; and with a liberality, tempered by discretion, have provided the necessary funds for clothing and apprenticing to captains of vessels, or otherwise disposing of a number of these children, whose cases appear most to merit such interference. The extent and results of their practical benevolence will be found in the accompanying returns:— Appendix, No. 2.

RETURN of Boys who have been sent to Sea, Apprenticed to Trades, obtained Situations, &c., from the Liverpool Borough Prison, from May 1838 to December 1840.

How disposed of. — Names.	If Returned to Gaol.	Expense to the Borough. £. s. d.
SENT TO SEA:		
1. G. C.	—	—
2. J. J.	Committed to gaol, obtained Queen's pardon, and again sailed.	– 10 6
3. W. J.	Returned to gaol.	—
4. J. S.	—	—
5. W. C.	—	—
6. T. L.	—	—
7. T. B.	Returned to gaol, and now in Kirkdale prison.	—
8. J. C.	—	—
9. J. L.	- - - - - - - -	1 18 3½
10. A. B.	- - - - - - - -	5 2 3½
11. A. R.	Returned to gaol, and transported - -	5 11 7
12. P. B.	Returned to gaol - - - - -	4 16 11
13. E. G.	- - - - - - - -	4 7 2½
14. J. M.	- - - - - - - -	4 1 5
15. J. S.	- - - - - - - -	5 1 5
16. E. H.	- - - - - - - -	4 7 6
17. E. C.	Returned to gaol - - - - -	5 1 6
18. R. H.	- - - - - - - -	4 7 6
19. L. K.	- - - - - - - -	5 9 6
20. J. B.	- - - - - - - -	4 19 [illegible]
21. R. R.	- - - - - - - -	5 – –
22. J. G.	Returned to gaol - - - - -	4 13 3
23. T. K.	- - - - - - - -	4 13 3
24. J. K.	Returned to gaol - - - - -	5 4 6
25. P. W.	- - - - - - - -	4 15 6
26. J. P.	- - - - - - - -	4 7 –
27. E. W.	Returned to gaol, and transported - -	4 7 11
28. J. T.	- - - - - - - -	4 16 2
29. J. B.	- - - - - - - -	4 10 8
30. J. A.	- - - - - - - -	4 13 2
31. J. C.	- - - - - - - -	5 2 6
32. J. C.	- - - - - - - -	4 5 –
33. M. L.	- - - - - - - -	4 3 –
34. J. K.	- - - - - - - -	4 2 –
35. T. R.	- - - - - - - -	5 – 6
APPRENTICED:		
36. R. G., hatter.	—	—
OBTAINED SITUATIONS, FOR		
37. J. D., ship-carpenter.	—	—
38. W. S., bricklayer.	—	—
39. E. O., ropemaker.	—	—
	£.	125 9 7

Appendix, No. 2. ABSTRACT of RETURN of BOYS who have been sent to Sea, or otherwise provided for, from the Liverpool Borough Prison, from May 1838 to December 1840.

How disposed of.	Number.	Average Cost per Head.	Number recommitted to Prison.	REMARKS.
		£. s. d.		
Sent to sea -	35	3 11 8½	8	In addition to these, there have been three or four boys sent to sea without expense, of whom no record has been preserved.
Bound apprentice	1	—	—	
Obtained other situations for -	3	—	—	

The evidence of the schooolmaster of the borough gaol, with reference to these boys, is particularly interesting. He says, "The boys are apprenticed for five years, and are to be taught the art of navigation, and be made perfect seamen. Each boy is to receive 5*l.* the first, and an increase of 1*l.* yearly, with 9*s.* a week to provide themselves when in port; they are fully and neatly clothed, and provided with bedding. The greatest number have gone into the North and South American trade. From the good opinion entertained by me of five of the boys, I have become security for their good conduct in 25*l.* each, and none of them have as yet given me any cause to repent it. I keep boys whose terms of imprisonment have expired, and who appear deserving objects, under a sort of discipline. I appoint them to be at the borough gaol at a certain hour on particular days; and if they break their words, or do not keep their appointments, I consider it as a proof that they have rejoined their old associates, and give them up entirely, unless their absence is accounted for satisfactorily. I have now two boys in the workhouse quite destitute, who are waiting for an opportunity to go to sea. It would be very advantageous if there were some receptacle or lodging-house for these boys after their discharge from prison, and until opportunities offer of disposing of them. It would make the captains of vessels less difficult in taking them than is the case at present, when they go at once from the borough gaol. Several of these boys who have been so relieved have, on their return to port, brought me some little token of gratitude, such as shells, plants, or curious objects obtainable by their trifling means."

I see no objection to the provision of some lodging-house or receptacle for the temporary accommodation of destitute boys, until occasions present themselves for their final disposal; but I incline to the opinion that a quiet, unostentatious method of providing for them abroad is far preferable to their being retained in refuges and asylums for lengthened periods, with the view of their moral reformation. As long as they remain in this country, something of the taint of crime must be expected to adhere to them; and the class of persons who ordinarily seek for apprentices and domestic servants from such sources, are not those who always form the best guarantee for the steadiness of those entrusted to them. I am far from wishing to underrate the value of such asylums; but I am apprehensive that their extension on any very large scale might operate as a direct encouragement to crime, from the superior advantages and comforts which they would infallibly afford, compared with the condition of a large portion of the humbler classes. Something of the sort has already manifested itself in more than one instance at Liverpool. The schoolmaster states, "I met, a few days since, a man in the streets, who said, 'I hear you are getting lads to sea; I will give a sovereign or two to get my boy sent.' I asked him what he was imprisoned for? He replied, that he was not in gaol, and never had been. Upon which I told him I could do nothing for him. Almost immediately after, this lad was committed to take his trial at the sessions for a trifling felony; I am sure it would be better not to make too much stir in the matter. I frequently call upon the parents of children to ascertain why they cannot keep them from bad connexions. One man, with a wife and six or seven children, told me on one occasion that his children were better done to in the borough prison than they were at home, for he had nobody to attend to them there. Three out of the number are now here, and we have had four; a younger one has been here only once."

Remedial Measures.—It would be in vain to expect that such evils as juvenile delinquency in large towns, which owe their origin to a peculiar state of society, can be removed by ordinary means, or that any radical change can be effected in the habits of the labouring classes, but by an antecedent improvement of their physical condition. But still there are many palliatives, of which the judicious and timely administration may serve to allay the graver symptoms of this social disease; and to some of which I shall now cursorily refer.

1. One of the most important I consider to be the further encouragement and extension of infant-schools in large towns, in which the children of the working classes are preserved from the contamination of the streets, and withdrawn from that freedom from early restraint so common and so dangerous to those of their condition.

In many of these schools it is the practice for the children to return to their homes through the streets for dinner, the inconvenience of which might possibly be avoided by supplying them with this meal at a trifling charge or gratuitously. Such a regulation might also operate

rate as an inducement to parents whose avocations or labour call them to a distance from their homes, to send their children to school for the day. It should be an instruction to the local police to take all young children found idling in the streets, and leave them for safety at the public or parish school, there to be placed in a class until owned by their parents; and all such not claimed by a certain hour might be transferred to the workouse, and treated in a manner consonant to their situation. In the year 1840, the number of children in Manchester found wandering, and restored to their parents by the police, amounted to 5,475. Parents neglecting to send their children to school, or to provide for their safety in their absence, in case of their being lost or found wandering in the streets, should be compelled to pay the expenses attending their recovery. Appendix, No. 2.

2. I need scarcely recur, after what has been said in the earlier pages of this Report, to the necessity of some means being adopted for increasing and purifying the relaxations and amusements of the labouring classes, and of making their pleasures conducive to their moral advantage instead of their corruption.

3. I likewise strongly recommend the institution of societies in all large towns for the visiting, improvement, and assistance of discharged prisoners. Local knowledge is often essential to the thorough investigation of cases, the prudent administration of succour, and the prevention of imposition. The simple manifestation of interest towards a fallen but not degraded fellow creature may be attended with the happiest effects, by rousing and encouraging the desponding mind to fresh exertions in life.

In conclusion, I must express my great satisfaction at the steps taken by the magistrates and corporation of Liverpool in behalf of the delinquent and destitute children of that important town, and trust that the success of their endeavours in a cause so interesting to humanity may be such as to induce others "to go and do likewise."

Appendix, No. 3.

PAPERS delivered in by Rev. *John Clay*, B.D., 4 June 1852.

(A.)

EXTRACTS from the JOURNAL of the CHAPLAIN of the County House of Correction, *Preston*, relating to JUVENILE Criminals.

Saturday, 13 *March* 1852.

THE only juvenile committal during the week is that of a child aged 10, named John Marshall, but it is his fourth committal; his offence being, "sleeping out," and the history connected with him is one of a truly deplorable character. Never, indeed, has a case been presented to me, showing more clearly the justice and necessity of "visiting" the sins of the children upon the parent, when those sins are manifestly the consequences of the parent's neglect and cruelty. Appendix, No. 3.

This poor child is the younger brother of William M., aged 11, who was discharged on the 20th ultimo, from an 18 months' imprisonment, for robbing a shop till, in conjunction with another boy of 14, whom it was necessary to sentence to transportation.

The prison history of the two brothers is, shortly, as follows:

William Marshall, aged 11.

Committed, June 1849, under Juvenile Act, sentenced	-	1	month.
" Nov. 1849, to the sessions,	" -	-	6	"
" Aug. 1850, ditto -	" -	-	18	"

John Marshall, aged 10.

Committed, June 1849, under Juvenile Act, sentenced	-	1	month.
" June 1850, for attempt at felony,	" -	-	14	days.
" Dec. 1850, - ditto -	" -	-	14	"
" Mar. 1852, for sleeping out -	" -	-	7	"

The domestic history of the children I give in William's own words:

"My father kept a jerry shop in Heatley-street; my father was drunk very near every night; my mother died through my father beating her; my mother sauced him for going to other jerry shops to get drunk, when we had plenty of drink in our own house; and then he punched her all up and down the house, and she was crying all day with him punching her, and shouted many a time, while he was agate, 'Murder!' She did not die all at once; she was badly two or three weeks.

"We was getting our breakfasts to go to school; it was on a Monday morning, and my father fetched us up stairs. My mother was dying. My father was crying, and Hannah

Appendix, No. 3.

Hannah (the youngest child) was laughing, and my father tried to make it give over. There was four children of us; James, me, John, and Hannah.

"It was not long before my father got wed again. The woman's name was Aggy Stevenson. My father then gave over drinking a bit; but he soon began again; and when he got his wages he came home drunk at 12 o'clock at night. My father was a porter at the railway station; and he came home drunk when he got paid, one Friday night; and he took James and me, and he said he would take us to the canal and drown us. He told our step-mother to reach our shoes; she said 'If you are going to drown them, you may as well leave their shoes for Johnny.' He took us, and he threw me in; and I should have been drowned only for a boatman. There was two policemen on the bridge with their lamps; they did not come to us then, but they came to our house after we came home; and they said they came to see about those two children; it was not a proper time to be on the canal side that time in the morning (two o'clock). My father said it was none of their business; they had nothing to do with his children. At this time my father was as drunk as he could be, and had got knocked off his work."

Our schoolmaster, Mr. Castle, having at my request, kindly made such inquiries as would lead to the confirmation of this account, if true, the result is, my conviction that substantially, the poor child's statement is well founded. It appeared that the father had kept a low beer house, "the Black Cat," in Heatley-street, and that while there he buried his first wife; he afterwards came to Albion-street West, and while there married his present wife, who already had a child of her own; so that in a short time there were three sets of children living together. It was also stated that on the death of the first wife, her sister took the little girl, Hannah, but that the three boys remained to endure the brutal harshness of their father and stepmother. Several of the neighbours spoke to her cruelty to the boys; how "she locked them up in the house, tied them up to the bedposts, and 'clammed' them shamefully." "One time," said one of the neighbours, "my lad heard something knocking, and he looked round, and it was one of Marshall's lads knocking the skylight out to get himself out. He had been tied up, but got loose, and then piled some things up in the room. He got out naked, and came down at the gable of one of the houses, and the neighbours give him some clothes, and I filled his belly."

This statement relates to the younger boy, John, who has related to me the story himself. Mr. Castle found that it was a matter of notoriety in the neighbourhood, that Marshall had "taken two of his boys to drown them in the canal." Another woman, who lived near Marshall at the time when the circumstance happened, said that on the following morning she went into Marshall's house, and saw "a child's clothes lying soaking on the floor." Subsequent inquiry at the police office elicited that one of the serjeants of the force visited Marshall's house, and saw the "clothes soaking wet on the floor."

I have given the particulars somewhat more fully to show the pitiable circumstances which drive some children into crime; and also to show the truthfulness of a narrative which would have otherwise have been considered incredible.

Tuesday, 30 *March* 1852.

The two unfortunate and incorrigible boys, William and John Marshall, committed yesterday for felony! William had been placed by his father with a tailor, in whose service the boy might have done well; but the mistress of the house having unguardedly exposed some money to his observation, the old propensity was called into action again, and he took about 2*l.* from a large sum which had been left in an unlocked drawer in the room where he worked. He gave 11*s.* 6*d.* of the money to his younger brother, as he says, "to keep him."

Saturday, 17 *April* 1852.

I record what follows as an instance of the extraordinary blindness of persons in the lower walks of life, to the consequences to their children of their own neglect and misconduct as parents. I received a letter signed, "James and Ann Graham," inquiring as to the health of their son James, who is undergoing six months' imprisonment for a robbery "from the person," during a drunken debauch. The prisoner is only 18, and on committal to our custody was placed in the hospital for a disorder arising from his own profligacy. By trade he was a collier, and earned 10*s.* weekly. The letter alluded to, after inquiries about the prisoner's health, continued, "We would be very much obliged to you if you would have the goodness to discourse with him, and to prevail on him to abandon such like conduct for the future. . . . Your reply as speedy as possible will greatly oblige; and may He who is the Giver of all good gifts, reward you either in this world or that which is to come."

The account which the prisoner gave to me in respect of his family, was to the effect that the parents had 11 children living with them: the conjoint earnings of the family were 47*s.*; that some of the younger girls were sent to the Sunday school, but that not one member of the family ever attended a place of worship; that the father regularly spent a large portion of his earnings in drink, regularly coming home drunk on the Saturday night, and spending the whole of Sunday in intoxication. Yet this man begs that we will do for his son, in prison, the duty which is incumbent upon him, but which he has utterly disregarded. It remains to be stated, that the ignorance of the young profligate himself is incredibly low. As to religion, he is a deplorable specimen of our home heathens; and as to ordinary knowledge, he cannot count 100, except by scores.

(B.)

THE PRISONER SET FREE.

The Narrative of a Convict in the *Preston* House of Correction, with a few Remarks by the Rev. *John Clay*, B.D., Chaplain to the Prison.

"Liberty to the captives, and the opening of the prison to them that are bound."—Isaiah lxi. 1.

"There is joy in the presence of the Angels of God over one sinner that repenteth."—Luke xv. 10.

"Because he considereth, and turneth away from all his transgressions that he hath committed, he shall surely live, he shall not die."—Ezekiel xviii. 28.

Many persons sent, on account of their bad conduct, into the Preston Gaol, have found the place—by God's blessing—to be in reality, what its name signifies—a House of Correction. The discipline practised here is intended rather to amend than punish,—to produce benefit both to body and soul. Cleanliness, work, exercise, order, and regularity promote the prisoner's health; the lessons of the schoolmaster, the daily religious instruction, the solemn services of the Sabbath, the entire separation from vicious companions—which leaves a sinner alone with his memory, and his conscience, and his God; these bring about the correction of the "inner man."

The cases of reformation amongst persons who are thus provided with "the means of grace," are very numerous and interesting. I give the following short history, out of many similar ones, in the hope that it may be useful both as a warning and an encouragement. As a warning against the dreadful evils of parental neglect and bad example, of drinking, and of bad company; as an encouragement to self-examination, constant prayer, and the "repentance not to be repented of."

J. G., aged 29, a married man, with three children, and earning about 20s. weekly, was committed on a charge of stealing a quantity of woollen cloth. On his admission he appeared to be very ignorant, both in respect to religion and to things of less importance. He could repeat the Lord's Prayer, but without knowing its meaning; was unacquainted with the letters of the alphabet; did not know the names of all the months of the year; and thought the Queen's name was "Prince of Wales." On his trial, which took place three weeks after his committal, he pleaded guilty, and was sentenced to three months' imprisonment. For some weeks after his trial, his heart and mind seemed to remain unchanged. When I visited him in his cell, he appeared almost unable to understand the observations which I made to him; and I began to fear that he was one of those whom gross ignorance and long-established habits of sin had completely hardened against every religious impression. But what seems "impossible with man is possible with God;" His grace and His word at length touched and changed the prisoner's heart. From his first arrival in the gaol, he had been attended by the schoolmster; and one day, when I examined his progress in learning to read, I was surprised and delighted to find that he had not only acquired the mechanical ability to spell and read words of one syllable, but, which was of much more consequence, that he was applying the simple lessons in the "Child's First Book" to the very best purpose. The great truths contained in the little words of that book were finding their way into his mind; and it was as instructive as it was gratifying to see and hear this unlettered man comment and enlarge upon what he could now read with his eyes and "understand with his heart." What his eyes read in a few minutes his heart pondered for many hours.

From this time my visits to J. G. became more frequent and more interesting. His air of indifference and dulness had now entirely disappeared. His eyes glistened with pleasure when I entered his cell, and his tongue became almost eloquent when he spoke in his homely, but impressive Lancashire dialect of his past life and his present convictions and hopes. All this was so very striking, that I requested the schoolmaster of the prison to take down in writing from J. G.'s own lips the account, which he would dictate, of his former course of life, and of the change which had been since wrought in him. I can vouch for the faithfulness with which the schoolmaster has performed his task; and I have now merely to add, that in preparing his manuscript for the printer, I have only ventured to alter a few words which would not be undersood by persons unacquainted with Lancashire phrases, and to omit one or two sentences which were repetitions of what had been previously said.

J. G.'s Narrative.

I was born at ———, near Ribchester, of poor parents. They were poor then, but they have had plenty of money left them since, and have gone through it. My father was one of those softly, quiet, sleepy fellows that was fond of drink; but if he had seen people in a public-house when he went in, he would have turned out and gone somewhere else, where no one would know him. Then he would have got drunk, and then have gone home,

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and gone to bed quietly, so that no one should have seen him. He was fond of drink, but he liked to drink by himself.

To the best of my recollection, when I was about five or six years old, my father had 500 *l.* left him; and then he gave up weaving and took to beast jobbing; but whether he spent his money in drink, or whether he wasted it in other ways, I don't know: in about five or six year he was sold up—dish and spoon, and went to live in a small cottage in ————, where he lives now.

My father was a good scholar. I am the oldest of 12 children, and I don't think that ever I heard him say to any of us, "Go to school." He is, and always was a man of good credit; but still he never took any thought for his children. My mother was of poor parents. She was very ignorant, very steady, and very industrious; and she would sometimes send the children to chapel, for they were ————, or should be, but I believe now they are nothing.

The first thing wrong that I learned to do was telling lies, and that I learned from my mother. When my father used to go away trading, for a week or two together, he would have taken all the money that was in the house with him. Then my mother would have had lots of women coming a teaing and doing; and when she had not money she would have sent me away to sell cops* to raise money with; and when I had come back, she would have given me a penny, and told me not to tell my father what she had done; and that was the way I learned to tell lies. At other times, when my father had been going away she would have said to him, "Thou hadst better leave some money for the Scotchman, for he'll be here to day;" and he would have left it. Well, as she had seen the man coming, she would have slipt up stairs, and told us children to say, "She was gone from home;" and then she would have kept the money herself; and the same thing is done by almost every woman through the country to this very day.

As I began to grow older and bigger, about nine or ten, I began to have companions about my own age; and there used to be stirs and doings about the villages, and we used to go to them; and the other lads used to have money, but I had none. So then I bethought me of what I had seen my mother do aforetime; and I did the same, and used to take stuff the same as she did, for I knew where to take it, and they bought it, and they gave me what they had a mind for it; and then we used, I remember, to get into the alehouses, and get agate† drinking; and still I was not found out for a long time. I practised this till I was about 12 years old; and the person that bought the stuff from me never checked me. At last they (my parents) began to miss it. They had young men, journeymen weavers, and when the cops began to give short for the work, some of the young men began a judging, but they did'nt judge me. One day my father and mother went from home, as if they were going to have a bit of an out, and he came back in about two or three minutes. His intent was (as I think now) to catch some of these young men; and I was at work taking stuff, and had got a handkerchief full of it, and was creeping out with it. So I could say nothing but tell him where I was going to take it to; so he went with me to the place. The old chap swore out and out that I had never been but once there before, as he could think on. So it dropped there and then. My father never punished me for it as he ought to have done. However he bound me prentice there and then, and I served seven years and two months honestly, and my master came, without asking, to speak to my character when I was tried.

I was about 12 years old when I was bound prentice. My master was a wood and metal turner. When he ordered me to chapel on a Sunday, as I did not sit in the same place as he did, when I could escape I did, and got with other chaps of my own age, and went into the fields and got peas and carrots and such like; not thinking then, as I do now, that God has His eyes on me. Sometimes, when I had never been near chapel, my master would have said to me, "Were you at chapel to day?" I would have said, "Yes;" and he would have said, "Where did you sit? for I never saw you;" then I would have said, "I was at the back of you, and you couldn't see me." That, you see, was lies.

Well, I began to get about 18 or 19 years old. We had always plenty of workmen from different parts; and they used to be telling tales about drinking and going to those ———— places, and getting agate with young women, and telling them they would marry them; and then they used to get money out of them. So that made me begin a longing to get my time out so that I might carry on the same rigs. At last my time was out. There was a journeyman that was going to leave, and I gave my master notice, and went with this journeyman to see all this pleasure I had heard them speak of. I was away about five years; sometimes working a month or two here and sometimes a month or two in another place, never settled; but always running into debt wherever I could, and wronging every body I could. Many a time I have promised marriage to young women, and have got money from them, and spent it all in drink; and then I would not marry them. But, to make things short, I have been guilty of crimes of every sort, except murder. I never stept into a church of all that time, nor ever thought about my soul or whether there was a God. Well, I came back to where I had set out from, well educated, full of every thing bad, card-playing, and gambling of all kinds; in short, fit for anything wicked. But still I never was given to swearing; for when I heard an oath, it was like as it used to make me tremble and feel queer. I never swore, I think, five times in all my life. I got work, and our folks thought

* Cotton weft prepared for the weaver's shuttle.

† To "get agate" means to *begin*; to "keep agate" to *continue*.

thought I was a real sharp fellow; and so I was, but it was to do anything wicked, and I made two of my brothers as bad as myself, and they are now roving about the world somewhere, I can't tell where; but its all through me.

About a year after I came back I got married to the wife I have now, and we have three sons. I brought my wife to grief and shame before I married her. I don't think that ever I thought about God ever since I married until I came here.

Well, I carried on in the same way after I was married, until about three years ago, when I went to H——— to live, and then I began very steady, for I was like to be so, as they were all strangers to me; but I soon got to drinking according as I made friends like myself; breaking the Sabbath, and going to alehouses, and carding, and at the same time clamming my wife and children. We made feasts at one another's houses with fowls that we stole. Sometimes we took them to alehouses and sometimes to our own homes to get them cooked. My wife never knew where they came from, but the other men's wives did. My wife loved me tenderly, if I would have loved her. She was born of the lowest degree of parents as could be. Since we began to have children, I began to take the oldest to the public houses with me. It used to stick hold of my hand, and I used to lead it. And when I had gone a sitting all day (at a public house) and been drinking there, my wife would have come, and begged me to come home. And when I wouldn't she would have said, "Well, if thou won't come, thou must keep the child with thee." And then I would have set to and fed the child with rum and brandy and all; all sorts of liquor as we had been drinking. This child is now turned five years old, and if I were to say that it has been drunk a hundred times, sometimes almost choked, with its mouth open, I don't think I should be lying. And the mother would have been so badly frightened she would have sat feeding it with cold water and vinegar to sober it. The second child, 13 months younger, has been brought up in the same way, only worse. If I had asked either of those children to act the drunken man, they would have done it on the floor; and then I was just suited, just proud to let people see how well they could do it.

Within this last three-quarters of a year I have learned my wife to drink. When she would have come for me, I would keep pressing drink on her. Now she can drink; but before, nobody could be more against it. But she was tired out; for many a time she would have come and sat for hours, crying, waiting of me to come home, and I wouldn't. I have called for many a glass for her, and as soon as she had got it, she would have whirled it into the fire. Then the landlady would have come and said, "Oh! thou silly woman! take it, it will do thee good; thou hast gotten a great child in thy lap, take it." At last she would take it. But this is a woeful sight for God to see. Both parents drunk in bed, with their clothes on, in the middle of the day-time; one throwing up on one side, and the other on the other side; and this in the presence of three children. The oldest lad would have said, "Mam, art thou drunk? Art thou drunk like my dad?" And this same child has brought me up many a pot of water in a morning, when I have been drunk over night.

I had three or four real companions that I used to be always with; but I set most store by R. H., and he's a man of this sort: he believes there's a God, but he'll not believe that God will make people and then punish them. After we are dead, he thinks we are no more; he thinks as we have no souls. I can't tell properly what he is, but he is a terrible talker. He's married and has got two children; but has ne'er had them christened, and won't have them. Sometimes people would come round with tracts, and he would get agate arguing with them; and sometimes he would take the leaves out of the books, and put in something else, that did not belong to them. And his wife's as bad as himself, or worse. Sometimes, when we were walking through the streets, on a Sunday, we saw men preaching, and he would have said, "That chap wants fetching off with a stone:" and he would have done it if it had been night. And I was just as bad; I would have done and said the same.

Well, we carried on this gate till this job happened, and it happened this way: one day I and one of my companions was taking a walk, and we chanced to come near the dye-house where the woollen pieces belonged to as I am here for; and we saw some fine ducks on a pond; and we said "Come, let's have a feast;" and my companion said to me, "If thou wilt bring the ducks, I'll pay for a quart of rum." So we agreed to take them to an alehouse and get them cooked. I did not delay much time, for next night but one after I went to this alehouse, and stopped there till about one or two o'clock in the morning. Then I started to the place, taking good care not to go by the road, but creeping over hedges and ditches till I came to a wall. I got on the top of it and then jumped down, and direct started up a man and run away. I shouted "Heigh," or something of that sort; but he never stopped. He was frightened; and so was I, knowing the errand I had come on. Then I saw a great bundle, with the ends of the woollen pieces sticking out. I did not know what I must do, so I walked about a bit; and then I spied a knife that he had been trying to pick the letters out of the pieces with, and then I saw directly that they were stolen; and I took them up as if they had been my own, and carried them half a mile or more through strange roads; for after studying, while I had settled in my mind where I would take them to, I kept resting and sitting me down, putting on the time till I thought the people of the house would be stirring. Well, I was so fain of this profit that I was going to make, that I got agate paying for drink for everybody that I knew; and I stopped there all day, until about three o'clock in the afternoon, and then started for Rochdale to get the pieces dyed. Three days after I went to fetch them, and I sold one piece in Rochdale for 38*s.*; the other piece I brought home and sold to a neighbour for 38*s.* 6*d.* So that if I did

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did not steal the ducks, as I intended, I was worse in other ways, besides all the lies that I told everybody that asked me anything about the pieces of woollen.

Well, I have told all the particulars up to my being here in Preston for stealing those pieces of woollen. When I first came in here I wept continually, but it was not for my soul, that never gave me a thought; but I begun to consider how I must look in the eyes of the world and in the eyes of my companions, for I felt ashamed. Before I was tried I was afraid of getting a long punishment of my body; but I did not feel anything for my soul; no, no, all the time I never thought about that, for I was full of vengeance and spite against everybody here, and especially against him that put me here. I took all the rules (of the discipline) as badly as I could do, and I did everything that I had to do with a bad, wicked heart, and hated everything and everybody.

Well, I carried on that gate for about a month or five weeks, as near as I can speak, and then the first thing I took notice of was a sermon. As well as I can think on, the chaplain's words were, "I intend giving you a whole sermon on drunkenness; I have often given you bits, but now I shall give you a whole one about it." "Well," I thought to myself, "I've been a drunkard, and I'll hearken to him;" and that was the first time I did hearken to him. Well, he began to dive into it, and about St. Paul saying that "Drunkards shall not enter the kingdom of Heaven." And he said, "Some of you may be inclined to think that drink does your body good; but physicians and doctors tell that the greatest part of diseases and fevers which they attend in the great hospitals are actually brought on by drink." I thought to myself, "All this is correct and true; I could not contradict him if I might speak to him." He said, "You are compelled to do without drink here, and let me see if you can't do without it when you get out." I knew that was all good and true, for I had then been without drink five or six weeks, and I never felt better in all my life; I had a good stomach and everything right. So I made a resolution in my own mind that when I got out I would try and see whether I could not do without drink. Still I never thought about my soul all this time.

When next Sunday came, the chaplain took his text from St. Paul, and he spoke of God opening his eyes after he had been struck blind; and then I wished God had done so by me, when I went to fetch those ducks. Then he said, "Let me prevail on you to pray to God to turn your hearts as he did St. Paul's." He said, "When you get back to your cells begin and examine yourselves, examine your consciences; let me entreat you to do this. There's some people here that have perhaps been carrying on 20 or 30 years; and if they don't soon take care of themselves I fear they will be lost; for there's much danger when they get old before they repent." So I began to examine what I had done, but I was quite careless over it; only just about what brought me here, nothing more. But at last I began to look a little further back and further back still; and I begun a thinking, I am certainly very wicked, and I am going the wrong road; and if I don't repent before I grow too old, perhaps I shall not get a chance then; so I kneeled down in my cell; but then I wanted prayers, for I never learnt any but the Lord's prayer, or had forgotten them, never having prayed of ever so long. So I said the Lord's prayer over and over again.

Well, I kept on till next Sunday, when the minister gave out his text, and it was about our Saviour coming nigh to Jerusalem, and saying, "O Jerusalem! Jerusalem! if thou hadst known the things which belong to thy peace!" And then he began to explain it to us. He said, "Now's the day, now's the hour, this very hour while you've the time. The strongest of you, the healthiest of you, which of you can tell whether he'll live to see to-morrow morning? Don't put it off any longer. This is the time to repent." Well, I thought about these things, and turned them well over in my mind; and when I came from the chapel into my cell, I clapped my dinner down and fell upon my knees, for he fairly frightened me. I prayed and prayed, and never thought how the time was going on till about an hour or an hour and a half, when they came for my noggin. I plumped my dinner into my cap, for I had never touched it, and never thought on it till they came. Well, I prayed all day till exercise time, and at exercise too, saying, "Our Father," &c.; and good thoughts came into my mind, and the tears kept coming into my eyes.

Night came; the gas was put out, and then I was done for. I was afraid to go to bed, for I was frightened of being found dead in it in the morning. Well, I kneeled here and prayed; and I could pray, for the words came to me as fast as could be. I was never short of words. I kept agate all night, praying and walking about, for I durst not go to bed, and was not a bit sleepy. Monday came and I was quite ill; frightened ill. I picked my cotton, mixed it again, didn't know what I was doing; got reported, but never said anything. Monday night came, and I was the same as the night before. I kept walking about and crying, "O God, deliver me from the hands of the Devil, and do not cut me off till I have repented me of my sins. Thou knowest what I have done, and Thou knowest how wicked I have been." Next day I was very badly; but I kept praying and praying, and kept getting humbler and humbler. Night came again, and the gas was put out; but I kept praying, and I never was short of prayers, for I thought I should be cut off. And I prayed sometimes on my knees and sometimes walking about, till about three o'clock in the morning. So I laid me down, but did not doff my clothes, and did not sleep any, but kept praying to God to forgive me my sins, and not to cast me off. Next day, that was Wednesday, I felt myself rather easier in body, and mind too, all over me. Night came, and I prayed and went to bed, and slept all night, and never wakened till morning; and when

I did

I did waken, I thought I was late; and prayed, and said, "O God, why didst Thou not waken me that I might keep praying to Thee more and more." I went to exercise, and whilst at it I prayed a good deal; and when I came in to breakfast, I felt full like, but light, and as if the place seemed more cheery and pleasant. I felt quite comfortable but happy, like as if some person should have come and said, "Wipe up all thy tears, for thy sorrow shall be turned into joy." Well, ever since that hour, the very things that I loved before I came here, I hate to think about; and the things which were a trouble and burden to me when I came in, cleaning my cell, and doing what is required of me, are now a pleasure and comfort to me.

I could fill many books with talking about all my doings and thoughts since then. I can say one thing, that I've never been seen sleeping in bed after four o'clock in the morning since that time. I am, thank God, convinced of my sins, and feel quite happy and comfortable. Eh! I'll teach my children something when I get to them again, not to be the same as I have been.

I have had some thoughts about the right way of bringing up children. It has taken me four or five days thinking about it; and as far as I can think its this: parents can't be too strict in keeping their eyes on their children; and if those parents ever pray, let them pray in their children's sight and in their hearing, and when they have got big enough to go to a place of worship, to be sure that they go with them themselves. If a brother or a sister, or anybody comes in, parents should mind that they do nothing and say nothing that's wrong; for children are sure to take notice of every thing that is said or done. And when they go out a playing, parents should mind what sort of children they play with; and if they are inclined to send them off any where to learn a business, they should be sure and certain what kind of a place that will be. They should not only look for a trade that will do in this world, but they should look as well for a place where they will get benefit for the soul, or not send them at all; because I can see, by hearing the Chaplain, that parents that neglect their children, and let then get into sin, that sin will at last lie upon the parents' shoulders. I'll try all I can, please God, to bring up my children well for the future.

I have a few words to say about what this new heart teaches me; for it is a new heart I've gotten. I've put the old heart away: I shall not go out of this building with the same heart that I brought in with me. In the first place, it teaches me to do to my neighbours as I would be done by; to love my wife and children; to love them that hate me; to work honestly and do right to my master for my bread (for it's told me to do so); to live carefully [watchfully and circumspectly]; to love everything that's about me excepting sin; I bar that out. This new heart has told me to do all this since I have been in here; it's told me to stand right, to sit right; its told me to serve the Lord with all my strength, with all my heart, and with all my mind.

I keep thinking of those prisoners that I am going to leave in; whether God will begin a moving their hearts; whether He will make them get agate a-thinking the same as he has done to me.

I often consider what we take a dislike to God for; what it is that makes a man neglect to do what he commands! What can be a man's reason for striving always to do what is unpleasing, and never thinking to do anything that is pleasing? But this I do know, that there cannot be a better place built than this in all the world for bringing a man to his senses; for if he'll only think and see, and he's plenty of time for it, he must see that he has need of repentance; and, therefore, it does him all the good in the world. It has done me good, and I thank God for it.

There is little need of remark on this affecting narrative; for surely no one can read it attentively, without serious and profitable reflections. We here, first of all, see a father caring no more for the souls of his twelve children than if they had been the beasts in which he jobbed; but leaving them to their bad companions and wicked practices, while he is sotting in the alehouse. We then see a woman robbing and deceiving her husband, bribing her children to lie, and teaching them to steal. The next scene shows us an old man encouraging a child to rob his parents. By and bye, we behold the same child, now an apprentice, bringing forth the fruits of his early training—breaking the Sabbath and lying to his master. Grown to man's estate, we find him, like the prodigal son, among harlots; deceiving young women, and meanly robbing them of their money by his false promises; card playing; gaming; never entering a place of worship; never thinking of his soul; almost forgetting that there was a God! I say almost forgetting, for amid this thick spiritual darkness, there was one little spark of light. Even in one so ready to perish as this man, the Almighty "left not himself without witness." Blasphemy made the sinner tremble. The devil had not been permitted to drive out of him all reverence for the Holy Name. But before the sleeper was awakened; before the spark of grace within him was kindled into flame, he was permitted to go deeper into crime. Again the scene changes, and we have the child of those sinful parents himself become a father, and excelling his father in the wickedness of his conduct towards his children. What a touching, but alas! what a faithful picture is now before us. A little child, with innocent and fond affection, "sticking hold of his father's hand," instinctively clinging to him for support, and

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looking to him for guidance—and whither led by that father? Into the vilest haunts of sin; made familiar with the horrible language and conduct of the alehouse, before it can be conscious that they are wrong! Seeds of evil sown within it which human effort alone can never eradicate. The Saviour said, "Suffer little children to come unto me;" the drunkard takes his little children along the high road to hell. And from the drunkard's child, turn to the drunkard's wife—"crying" at her husband's hard-hearted profligacy. But wrought on by repeated example and enticement, her tears in time are dried up. She shares her husband's glass and her husband's sin; like him, she learns to "count it pleasure to riot in the day time," and soon the liquor which she once abhorred stretches her a helpless and loathsome drunkard side by side with her partner on their filthy bed. Their children, accustomed to the sight, look on unmoved; though the mid-day sun, under which this scene is enacted, might be imagined to turn pale at the view of such awful depravity.

A fit companion for one who thus fulfils the duties of husband and father is the "terrible talker," who thinks "that we have no souls;" that "after we are dead we are no more;" and persuaded by this unbeliever that when he shall die he shall die like a beast, no wonder that he altogether lives like one. He walks with the wicked in the day, planning robberies for the night. "They sleep not until they have done mischief."

But the sinner's course approaches its end. Intending one robbery he commits another. Guilty of both in the sight of God, human justice overtakes him, and, convicted as an evil doer, he is placed for correction where he has time to "commune with his own heart." Conscience, which slumbered amidst his rioting and drunkenness, awakes in his solitude and brings bitter things against him. The terrors of the Lord visit him, and he cries, "What shall I do to be saved?" His heart is not only alarmed, but softened. "Behold, he prayeth!" and from this moment he feels that God is merciful, and that in Christ there is salvation, not only from the punishment of sin hereafter, but from its power now.

No observation upon J. G.'s thoughts and fears and prayers in his cell could add to the force of his own faithful account of them. The same spirit which dictated that account was also evident in his conversation with me. Upon one occasion he showed his sense of the value of the discipline to which he had been subjected, by inquiring, in his peculiarly earnest way, "Will you tell me, sir, if you please, does any man ever come here again after he has been treated as I have been? I should think such a man could have no sense or reason in him." "When a man is put here by himself, it like forces him to pray." "Somehow I think better of myself, because I can see that Providence has done all this for my good. As you said last Sunday, this is no place of punishment, but a place where we are to be corrected and made better." Considering what this man was a few months ago, who could hope to find him so moved by religious influences, and made so capable of enjoying one of the purest pleasures of our nature, as he is shown to be by saying, "To my thinking I shall set more store by my children than ever I did in my life! What can be so delightful as to have a little child holding at one's knees, and trying to talk; or to see'em, before they can speak a word, stretching out their little arms to one, when we come into the house, as they are sitting on their mother's knee." At our last interview, which took place a few hours before his discharge, he said, "I have never had prison in my mind for the last five or six weeks. A man cannot pick a place outside so suited to mend him as this place. I can cast it in this way, that God has bound me 'prentice for three or four months, to learn the trade of a good Christian. As you said yesterday, I have been put in the right way, and now I have nothing to do but to go straight forward."

How many thousands are now living in Lancashire such a life as J. G. has lived? Men possessed of good sense and kindly hearts, but with both debased by ignorance and sin, capable, if roused and enlightened, of performing the duties which society and their own interest and religion require from them, yet living as if they were not answerable for their conduct either to man or to God! This narrative may fall into the hands of some such persons, who will see in parts of it a description of their own sinful conduct. If so, may it lead them to serious reflection on the course they are running, and induce them to leave it while yet there is time. May they, by prayer and through grace, obtain the gift of repentance, without having to undergo the pains and disgrace of imprisonment.

To the discharged prisoner I would say, never forgot the lessons you have received in gaol. You are about to start on a new course. "Be of good cheer;" "Resist the devil and he will flee from you." Learn from the example of J. G. what peace and comfort there are in store for "all those who truly repent, and unfeignedly believe the Holy Gospel." Shun your former bad companions; shun the public-house and the beer-shop; keep holy the Sabbath day struggle and pray against everything which may hurt your soul; so shall you find in this world peace, and in the world to come life everlasting.

(C.)

PARTICULARS relating to 100 JUVENILE OFFENDERS, Committed to the County House of Correction, at *Preston*, betwen the 1st September 1851 and the 20th May 1852, distinguishing between Summary Committals and Committals at the Sessions.

1.—BIRTHPLACE.

BORN IN	Sessions.	Summary.	TOTAL.
England	13	40	53
Ireland (or of Irish parents)	8	37	45
Scotland	–	2	2
TOTAL	21	79	100

2.—OFFENCES DISPOSED OF BY SUMMARY CONVICTION.

Felonies (Juvenile Act)	26
Robbery, gardens	2
Reputed thieves	4
Begging	24
Attempts to commit felony	11
Other offences	12
TOTAL	79

3.—COMMITTALS.

	Sessions.	Summary.	TOTAL.
First	12	66	78
Second	1	6	7
Third	3	4	7
Fourth and upwards	5	3	8
TOTAL	21	79	100

4.—AGES.

	Sessions.	Summary.	TOTAL.
Ten years and under	2	6	8
Eleven to thirteen	4	20	24
Fourteen to sixteen	15	53	68
TOTAL	21	79	100

Appendix, No. 3.

5.—Parentage.

	Sessions.	Summary.	Total.
Both parents living	8	*35	43
Father only	2	8	10
Mother only	1	11	12
Father and stepmother	6	6	12
Mother and stepfather	1	5	6
Orphans	3	14	17
Total	21	79	100

*Of these 35, 8 were deserted by their fathers, 4 by their mothers, and one by both father and mother.

6.—Previous Schooling.

	Sessions.	Summary.	Total.
Day and Sunday	3	9	12
National and Sunday	6	15	21
Sunday only	8	29	37
National only	0	4	4
Other schools	0	8	8
None	4	14	18
Total	21	79	100

7.—Religious Knowledge.

	Sessions.	Summary.	Total.
Unable to repeat the Lord's Prayer, and ignorant of the Saviour's name	13	46	59
Able to repeat the Lord's Prayer more or less imperfectly	7	32	39
Better taught	1	1	2
Total	21	79	100

8.—General Knowledge.

	Sessions.	Summary.	Total.
Unable to read	13	39	52
Can read, but not understand	4	32	36
Can read and understand	4	8	12
Can read and write	—	—	—
Total	21	79	100

9.—Weekly Earnings of the Offenders and of their respective Families at the Time of Apprehension.

Earnings.	Offenders.		Families.		Total.
	Sessions.	Summary	Sessions.	Summary	
5*s.* and under	11	12	—	—	—
Above 5*s.* and under 9*s.*	4	16	—	—	—
9*s.*, 10*s.*, and 11*s.*	1	11	—	—	—
10*s.* and under	-	-	2	4	6
11*s.* to 20*s.*	-	-	3	8	11
21*s.* to 30*s.*	-	-	5	13	8
31*s.* to 40*s.*	-	-	1	4	5
41*s.* to 50*s.*	-	-	1	3	4
51*s.* to 60*s.* and upwards	-	-	2	6	8
Unemployed and uncertain	5	40	7	41	—
Total	21	79	21	79	—

10.—Of the Unemployed Boys the usual Earnings were—

	Sessions.	Summary.	Total.
5*s.* and under	1	6	7
6*s.* to 8*s.*	2	11	13
9*s.* to 11*s.*	-	5	5
15*s.*	-	1	1
Never in any employ (chiefly Irish)	2	17	19
Total	5	40	45

Sessions.	Summary.	
1	26	Boys " on the tramp."
13	37	More or less familiar with the lives of Turpin and Sheppard.

Appendix, No. 4.

PAPER delivered in by Mr. *Serjeant Adams*, 8 June 1852.

Appendix, No. 4.

HOUSE OF CORRECTION, WESTMINSTER.

February General Sessions, 1852.

REPORT to the Visiting Justices, and RESOLUTIONS of the Court.

LIST of the Visiting Justices of the House of Correction, Westminster, appointed at the January Quarter Sessions, 1852.

Henry Pownall, Esq. (Chairman of the Court.)
Henry Morris Kemshead, Esq. (Chairman of the Committee for Accounts and General Purposes).
W. Evans, Esq.
W. B. France, Esq.
Lord Ernest Bruce, M.P.
George Dodd, Esq., M.P.
A. Robinson, Esq.
J. Roe, Esq.
J. S. Brooking, Esq.
P. N. Laurie, Esq.
C. Graham, Esq.
J. Townend, Esq.
W. Crake, Esq.
W. Gladstone, Esq.

MIDDLESEX.

TO Her Majesty's Justices of the Peace for the County of Middlesex, in General Session assembled.

The REPORT of the Justices of the Peace appointed on the 15th of January 1852, to visit the House of Correction for the said County, called the Westminster Bridewell.

The prison inspected.

IN conformity with the provisions of the statute of 4th Geo. 4, cap. 64, the Visiting Justices, since the last report, have from time to time visited this prison, and personally examined into the state of the several parts of the building. They have also carefully inspected the various Journals of the Governor, Matron, Chaplain, and Surgeon, which have been duly laid before them at their weekly meetings, and they have the satisfaction to add that they have invariably found the prison well arranged, and in good order and condition.

Number of prisoners in custody.

The number of prisoners in custody on the 10th of January, which was the date of the last report presented to the Court, was 730, viz.:—

	MALES.	FEMALES.
Felons and Misdemeanants	231	423
Vagrants	42	34
	273	457
		273
TOTAL		730

The number at present in confinement is 721, viz.:—

	MALES.	FEMALES.
Felons and Misdemeanants	236	410
Vagrants	43	32
	279	442
		279
TOTAL		721

The ages of the present numbers being as follows :— Appendix, No. 4.

Under 12 Years.		12 and under 17.		17 & under 21.	21 & upwards.	Total of	Total of	Grand Total.
Males.	Females.	Males.	Females.	Females.	Females.	Males.	Females.	
22	—	257	10	79	353	279	442	721

The Surgeon's report.

By the report presented to the Visiting Justices by the Surgeon, it appears that during the month of January, "the same ratio of health had been maintained as was usual in the prison; that the per-centage was somewhat less than the two previous months, and that the patients in the infirmary had also been less in number.

Abraham Cooper placed on trial as a sub-warder.

A vacancy in the number of sub-warders having been occasioned by the promotion of sub-warder, Daniel Boyland, to the office of warder, as authorized by the Court on the 15th of January, the Visiting Justices have placed Abraham Cooper (a candidate well recommended) on trial as a sub-warder.

Mary Ann Baldery recommended for appointment as a sub-warder.

Mary Ann Baldery having completed three months' service on trial, and being reported by the Governor as an attentive and promising officer, the Visiting Justices recommend her to the Court for appointment.

Resignation of warder Joseph Darlington.

The Governor has this day reported to the Visiting Justices that on the 20th instant warder and oakum-master Joseph Darlington requested permission to resign his office in the prison, in consequence of having received an appointment in Lincolnshire, and that he (the Governor), had accepted his resignation.

Remonstrance against the committal to this prison by one of the police magistrates for non-payment of money only.

At the meeting of the Visiting Justices on the 14th instant, the Governor reported that, on the 21st of January, a woman named Elizabeth Hales had been committed to this prison by one of the police magistrates, under the Act 11 & 12 Vict., cap. 43, sec. 18, for 14 days, unless she should sooner pay a sum of 12 *s.* 6 *d.* for costs; and that after having consulted the clerk of the Visiting Justices, who considered that the woman ought not to have been committed to this prison, but to the House of Detention at Clerkenwell, he felt it his duty to apprise the magistrate thereof; which led to a correspondence, from which the following are extracts, viz. :—

The Governor's Letter (dated 9th February) to the Magistrate.

"Having submitted the commitment of Elizabeth Hales, together with your note of the 2nd instant, to Mr. Allen, solicitor for the county, to whom I am directed by the Visiting Justices of this prison to apply in cases of doubt, I have received his reply in writing to the following effect: 'That he continues of opinion I ought not to have received the woman, Elizabeth Hales, because she had not been convicted, and that his advice is, that no prisoner be received by me, unless convicted. Under these circumstances, then, I feel I have no alternative but to act for the future under such instructions, and I trust this determination will occasion you no inconvenience.'"

To which the Governor received a reply to the following effect :—

"I am obliged by your letter of yesterday's date, though I am sorry to find that a difference of opinion still exists between us, which may possibly lead to serious inconvenience. Of course, you cannot do otherwise than act according to the legal advice you receive; on the other hand, I am bound to act according to what I conceive to be the correct interpretation of the statute and the order of the justices."

The Visiting Justices have fully considered the orders made by the Court on the 18th of July 1850, for the better classification of the three county prisons, and agreeing with Mr. Allen that the prisoner, Elizabeth Hales, ought not to have been committed to this prison, felt it their duty to adhere to those orders, and to direct that the Governor should in future refuse to receive prisoners committed to his custody under commitments similar to that made in the case of Elizabeth Hales. The Visiting Justices beg, therefore, to submit the whole of the circumstances for the consideration of the Court, in the hope that the Court will see fit to confirm the direction which the Visiting Justices have, in the discharge of their duty, deemed it right to give to the Governor with respect to future commitments (if any) of prisoners of this class.

It may not be improper, while on this subject, to remark, that under the authority of the Act herein referred to, the police magistrates have the power of committing persons of the description in question, in default of payment of costs, for a certain term, with or without hard labour; and it will be a matter for the consideration of the Court whether or not due provision should be made at the House of Detention to meet the contingency, under the 5th rule in the 10th section of the Act of 4 Geo. 4, c. 64.

The Visiting Justices having from time to time been strongly impressed with the importance of effecting some arrangement by which the prison discipline might be improved, coupled

Appendix, No. 4.

coupled with industrial occupation; the subject was some time since referred to a Sub-committee to consider and report whether any and what alterations were desirable and practicable in the discipline of the prison. The Sub-committee have since made a report thereon, of which the following is a transcript, viz.:—

"To the Committee of Visiting Justices of the Westminster Bridewell.

"The Sub-committee appointed on the 20th of December last, to consider and report whether any, and what alterations are desirable and practicable in the discipline of the prison, have duly considered the subject referred to them, and have agreed to the following Report:—

"The Sub-committee desire, in the first place, to bear testimony to the zealous exertions of the Visiting Justices, for several years past, in establishing a judicious and well-regulated system of prison labour, in which they have been greatly assisted by the zealous co-operation of the respected Governor, and they feel it right to state, at the outset, that the plan now suggested for consideration is only an extension of that system previously established by their predecessors.

"The appropriation of the Bridewell to females and juvenile male prisoners has removed some of the difficulties which beset the subject of occupation for the classes of prisoners formerly sent there, and has rendered practicable a better defined system of correction and industrial discipline in one respect, while it has brought with it great difficulties in another.

"It will, not unnaturally, be considered that, with two distinct classes of prisoners, females and juveniles, some system of reformatory discipline can without difficulty be established and maintained, and such is undoubtedly the case; but when it is borne in mind that the great proportion of these two classes of prisoners is, from the nature of their offences, sentenced to very short terms of imprisonment, it must not be expected that successful results, to any considerable extent, will follow from the adoption of any system, however well devised or ably carried into execution.

"It appears from the last official return for the year ending Michaelmas 1851, that of the whole number of prisoners confined in this Bridewell during the year, 90 per cent. were sentenced to terms under three months; a period manifestly insufficient to effect any permanent change in morals and habits, or to impart more than a very superficial extent of industrial knowledge.

"Except on the score of expense, there is no difficulty in organizing industrial labour in a prison. Suitable workrooms can be constructed, efficient instruction provided, and appropriate occupations obtained for the great majority of the prisoners; but when it is recollected that this body is daily changing, and that, with few exceptions, none can be instructed for more than three months without allowing any portion of the term of imprisoment to be spent in undergoing that penal and corrective discipline which the Sub-committee consider is essentially necessary, it is too apparent that very slender expectations can be fairly entertained of the results of reformatory discipline tried within our walls under such disadvantageous circumstances.

"The Sub-committee do not advert to those difficulties with any intention of discouraging the prosecution of a well-considered system of industrial occupation, but to point out the practical difficulties, over which they have no control, which attend it, and to guard against disappointment, if that degree of success should not be attained which may by many be anticipated.

"The Sub-committee believe that the Visiting Justices will concur in the opinion that a penal and deterring discipline ought to form a part of every imprisonment, and in the proposition which they submit for consideration, this forms the basis of the system, to be relaxed and modified according to the conduct of the prisoner.

"They attach great importance to the rigorous enforcement of primitive discipline in the first instance, particularly in the case of juvenile prisoners; and when they consider the characters and habits of these prisoners, and how easily an ample and unaccustomed supply of food and clothing, the cleanliness and comfort of our wards, safety from the violence of those who should have protected them, and the novelty of instruction in some useful and perhaps profitable trade, will reconcile them to a short imprisonment, it is obvious that unless a prison is really allowed to remain a prison, and not be converted into a manufactory, it will cease to have any terrors for juvenile criminals.

"The Sub-committee are of opinion that one of the principal causes of juvenile crime is the want of industrial knowledge; but at the same time they wish to express their conviction, that a prison is not the only or the fittest place where this national deficiency ought to be supplied; and admitting that not less should be done than is now attempted in prison to reform, much more can and ought to be done out of prison to prevent; and they trust that the day is not distant when the unions and parishes in this country will consult their true interest and real economy, by providing industrial schools for the pauper children of their respective localities; and the Sub-committee feel assured that one-fourth of the exertions and expense bestowed on systems of prison reformation, if applied to industrial instruction

tion for youths yet uncontaminated by crime, would be a national blessing and a national saving.

"The Sub-committee have now only to add a brief summary of the plan they would submit for the consideration of the Visiting Justices. They propose that penal and reformatory discipline should be combined, admission to the latter being made dependent on the conduct of the prisoner while subject to the former, which is to be the discipline first applied in all terms of imprisonment; the establishment of a modified mark system, with the intention of exhibiting to prisoners the immediate advantage of good conduct; the addition of such trades as may be easily learned in prison, and be followed by prisoners when discharged; the increase of the hours of labour, and consequent diminution of the time now passed in sleep.

"In the event of the Visiting Justices approving and adopting the views of the Sub-committee, it may be expedient to direct that these suggestions should be carried into effect gradually, and commenced on the boys' side, it appearing very desirable that a system involving numerous details should be brought into complete working order in a part of the prison before it is introduced generally.

"All which is submitted, &c.,

Charles Graham,
"Chairman of the Sub-Committee,
Westminster Bridewell.

"January 31st, 1852."

The Visiting Justices having taken into consideration the Sub-committee's report, and the plan recommended by them, unanimously agreed to the following resolutions, which they submit, in the confident hope that they will receive the sanction of the Court:—

"That a system of discipline, exclusively penal, or which holds out no other reward than exemption from punishment, does not appear so likely to produce beneficial results as a system which, without impairing the penal and deterring character of prison discipline, contemplates encouragement for good conduct, and makes the relaxation of the severity of penal discipline in some degree dependent on the conduct of each prisoner.

"That a fixed amount of hard labour shall be allotted to every prisoner (not being exempted by law) on committal, proportioned to personal capability and term of imprisonment.

"That such fixed amount shall include a minimum quantum of labour, which shall be rigidly enforced, and shall be applicable to all terms of imprisonment not exceeding 14 days.

"That any prisoner who shall be sentenced for more than 14 days, and who shall voluntarily perform other hard labour, in excess of his daily minimum amount of labour, shall be rewarded for such addition by marks, according to a scale hereafter to be settled.

"That the earning of marks shall qualify for admission to the work-rooms, and for general employment in the prison.

"That every marks shall entitle a prisoner, on discharge, to a reward.

"That misconduct of any kind, or breach of any prison rule, may be punished by fines of marks, and in case of forfeiture of every mark, by the prisoner being excluded from the work-room.

"That the probationary term of hard labour be increased in cases of re-committal in the proportion of one week for each committal.

"That in addition to the present occupations for female prisoners, viz., sewing, knitting, washing, cleaning the prison, &c., they be employed in net-making, list shoe-making, basket-making, moss-making, and straw-platting.

"That as soon as practicable, extended accommodation be provided on the boys' side for mat-making and rope-making, and that instruction in breaking and heckling flax, knotting, and splicing, and spinning, be added to this department.

"That the engineer warder do employ boys as a class, instructing them in the elementary parts of such smith's work, plumbing, and tinning, as are required for the use of the prison.

"That the warder of works in like manner employ and instruct boys in bricklaying, &c.

"That a garden class be established.

"That basket-making, broom-making, and brush-making be taught.

"That measures be taken for instructing a male and female warder in net-making and basket-making, to enable them to teach prisoners these employments.

"That in order to secure proper instruction in industrial occupation for the prisoners, it be recommended to the Visiting Justices, when admitting candidates for, and appointing to the situations of prison officers, to give a decided preference to those who possess some practical knowledge of one of the trades which may be carried on in the prison.

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"That prisoners be required to rise not later than at five o'clock from April to October; and at six o'clock from November to 31st March, and not to be allowed to go to bed before eight o'clock."

"(*Observation.*—In order to avoid giving material additional labour to prison officers, the additional hour in the morning to be occupied in exercising in the yards, under the supervision of the night warders until the day warders come on duty, and that the additional time in the evening be occupied in school).

"That school-hours be before breakfast and in the evening, leaving the time from breakfast to supper time uninterrupted, except for chapel, or the occasional interviews with the chaplains, for hard labour and industrial work.

"That when the vacant ground in the rear of the prison shall be closed, the principal part of it be appropriated as a kitchen garden, and be wholly cultivated by prisoners; and that such work-rooms as may be required be erected there for the advantage of a concentrated supervision.

"All which the Visiting Justices submit, &c.

"*Charles Graham*, Chairman."

"21st February 1852."

On the preceding Report the following Resolutions were adopted by the Court on the 26th February 1852:—

"Resolved, That the said Report be received.

"Resolved, That Mary Ann Baldery be appointed a sub-warder at the House of Correction, at Westminster, as recommended by the said Report.

"Resolved, That the acceptance of the resignation of warder Joseph Darlington be approved and confirmed.

"Resolved, That the Report now presented by the Visiting Justices be printed and circulated in the usual way, and that the subjects of the direction given by the Visiting Justices to the Governor, with reference to his refusing to receive prisoners of a certain class, and of the Visiting Justices' resolutions, relating to the discipline of the prison, be taken into consideration on the next county day."

Appendix, No. 5.

PAPER furnished by Mr. *Symons*.

Appendix, No. 5.

DEGREES of INSTRUCTION among the CRIMINAL OFFENDERS committed for Trial in *England* and *Wales* from 1838 to 1847, both inclusive, according to the Returns in the "Tables of Criminal Offenders," published by the Home Office.

DEGREES OF INSTRUCTION.	Mean of 1838–1842 per cent.	Mean of 1843–1847 per cent.	Difference per cent.
Unable to read or write - - - -	33.36	30.68	−2.68
Able to read or write imperfectly - - -	55.49	58.72	+3.23
Idem well - - - -	8.46	8.00	−0.
Superior to reading and writing well - -	0.34	0.37	+0.03
Could not be ascertained - - - -	2.34	2.21	−0.13

Appendix, No. 6.

PAPERS furnished by Mr. *Locke*.

RESULT of Conference on Juvenile Delinquency, Birmingham, 1851. Appendix, No. 6.

THE following was the result of the Conference on juvenile delinquency, held at Birmingnam in December 1851:

The meeting were unanimous in thinking,—

That though Ragged Schools and similar institutions were doing a vast amount of good to the neglected class, yet in most localities they were cramped and hindered from want of funds, and that all the agencies yet at work were totally inadequate to check the increase of juvenile crime.

That voluntary agency was not equal to the work, and that support was needed from some regular and adequate source.

That where parents neglected or perverted their offspring, the public should interfere and see justice done; but that parents who could pay should not be permitted to escape doing so.

That there were large numbers of children in our large towns, of the vagrant class, who needed food and some industrial training (to fit them for future life), as well as moral and religious teaching.

That for such children book-learning should be secondary to moral training and instruction in some trade or handicraft.

That no great good would ever be done to this class until some power were given to the police or parish officers to enforce attendance at a school of some kind, and until street-begging should be effectually put down.

That it is a great mistake to treat juvenile delinquents, especially those under 12 years, in the same manner as hardened criminals; and that Correctional or Reformatory Schools were needed for such classes rather than prisons.

That the present treatment of this class, through means of prisons, &c., was radically bad, and in every case doing more harm than good, tending to increase and perpetuate crime, rather than to repress or diminish it; the re-commitments being in most cases 40 or 50 per cent., and in some 70 per cent. on the commitments.

That Reformatories (the few that exist) were doing much good; the reformations being 40 and 50, and in one case 80 per cent. of the admissions.

That prisons were far more expensive than Ragged Schools, Industrial Schools, or Reformatories, merely considering the current annual expense; and

That in every respect prevention was better than cure.

In accordance with these views, the following resolutions were unanimously adopted, and confirmed by a public meeting held the same evening:—

"1st. That the present condition and treatment of the 'perishing and dangerous classes' of children and juvenile offenders deserve the consideration of every member of a Christian community.

"2d. That the means at present available for the reformation of those children have been totally inadequate to check the spread of juvenile delinquency; partly owing to the want of proper Industrial, Correctional, and Reformatory Schools; and partly to the want of authority in magistrates to compel attendance at such schools.

"3d. That the adoption of a somewhat altered and extended course of proceeding, on the part of the Committee of the Privy Council, is earnestly to be desired for those children who have not yet made themselves amenable to the law, but who by reason of the vice, neglect, or extreme poverty of their parents, are not admitted into the existing day schools.

"4th. That for those children who are not attending any school, and have subjected themselves to police interference, by vagrancy, mendicancy, or petty infringements of the law, legislative enactments are urgently required, in order to aid or establish Industrial Feeding Schools, at which the attendance of such children shall be enforced by magistrates, and payment made for their maintenance, in the first instance, from some public fund, power being given to the public authorities to recover the outlay from the parents of the children.

"5th. That legislative enactments are also required in order to establish Correctional and Reformatory Schools for those children who have been convicted of felony, or such misdemeanours as involve dishonesty; and to confer on magistrates power to commit juvenile offenders to such schools instead of to prison."

Appendix, No. 6.

LETTER from *W. Locke*, Esq., to the Right Hon. *M. T. Baines*, Chairman.

No. 127, Regent Street, London,
17 June 1852.

In giving evidence last Tuesday as to treatment of destitute juveniles, I was asked what plans my experience in connexion with Ragged Schools led me to propose as calculated to lessen juvenile destitution and crime.

I beg now briefly to name a few:

I already mentioned that I thought if the police had authority to apprehend all juvenile beggars and street-hawkers, and take them before a magistrate, it would tend to lessen street begging and thieving very much. Perhaps it could be better accomplished by every parish having a certain number of street guardians to follow and track out beggars of all kinds, and have the deserving relieved and the undeserving punished. I now venture to lay before you a few other suggestions, many of which will no doubt have occurred to your own mind as desirable.

The fruitful sources of crime among the young, of the low class, in all large towns especially, seem to me to be as follows, viz.:

1. Intemperance and improvidence in parents.
2. Want of employment, and ignorance of a trade or handicraft.
3. Careless exposure of goods in shops by tradesmen.
4. Hunger and destitution.
5. Parental neglect.
6. Bad dwellings, and low crowded lodgings.
7. Fairs and penny theatres (or gaffs).
8. Music and dancing saloons and gambling places.
9. Ignorance of Christian truth, and low books.
10. Prisons and union workhouses.

I would mention what might be done towards remedying each of these evils:

1. Grant fewer licences for sale of spirits and beer (Liverpool has one such house for every male adult); make it illegal to pay wages or hold benefit society meetings at public-houses; shut them up all the Sabbath-day, and increase the cost of licences and duty on spirits, &c., &c.

(N. B. Some American States have now made it illegal to retail spirits, except as drugs and poison).

2. Compel all schools receiving aid from Government (I include National and British) and all parish schools or workhouse schools, to spend half or a third of the teaching time in industrial training and household work; and also give emigration prizes to youths who come up to a certain standard in workhouses, Ragged, and other Schools.

3. Fine all shopkeepers who carelessly expose their goods.

4. Admit destitute children to workhouses without their parents (placing them in the Industrial School); assist Ragged Schools in giving food and lodging to the most needy, and also in sending them abroad.

5. Compel parents to educate as well as feed their children; or do it for them, and make them pay where they have the means.

6. Make it illegal to lodge more than a certain number in a certain space; to mix the sexes; to let lodgings without convenience for privacy, washing, &c.; and give authority to certain public bodies to remove old, dilapidated, and crowded buildings, and to build new ones on their site for the poor to live in.

7 & 8. Abolish fairs of every kind as great social evils; also penny theatres, music, and dancing saloons, &c. &c.; allowing rooms for concerts, or such entertainments, only under certain restrictions as to early closing; no spirit or beer selling; nature of entertainment, age of those admitted (for example, not under 16), &c. &c.

9. Extend education and moral training of neglected poor by means of free schools, workshops, lectures, reading-rooms, good books; and fine all publishers of immoral, debasing trash.

10. Establish preventive and reformatory schools (such as Mettray and Red-hill), for young prisoners discharged from prison, and for young offenders convicted the first or second time; and separate all inmates of union workhouses, in casual wards, so as to prevent contamination and evil communication.

If juvenile street hawkers are allowed at all, only those who can bring a certificate of good behaviour and regular attendance at some school should be licensed; and if their character changed, the licence should not be renewed. Each licence to be renewable every six or twelve months.

(signed) *Wm. Locke*,
Hon. Sec. to Ragged School Union.

The Chairman of Committee on
Criminal and Destitute Juveniles.

Appendix, No. 7.

PAPER delivered in by Lieutenant-Colonel *Jebb*, R.E.

EXTRACTS from Rules and Regulations for the Government of the Convict Prisons.

Appendix, No. 7.

PARKHURST PRISON.

The Governor.

1. The governor shall reside at the prison, and shall not be absent from it for a night, without permission in writing from a director; but if absent without leave for a night, from unavoidable necessity, he shall state the fact, and the cause of it, in his journal. He shall, also, enter his leave of absence, with the authority for it, in his journal. Before leaving the prison at any time he shall give charge of the general wards prison to the deputy-governor, and that of the junior wards prison to the superintendent thereof. Not to be absent without leave at night.

2. He shall have a general superintendence over the prison and prisoners, and shall give his best attention to the application of their labour, and the maintenance of discipline. He shall make himself acquainted with the provisions of the several Acts of Parliament relating to prisoners, and with the prison rules, and shall adhere to them himself. He shall require obedience to the rules from the officers and servants of the prison, and from any military guard or sentries that may be appointed for the security of the prison, and shall strictly enforce it on the prisoners. He shall observe the conduct of his subordinate officers, and require from them the due execution of their duties, as laid down by the rules; restricting them entirely to the performance of such duties, and not permitting any of them to be employed in any menial or private capacity, either for himself or for any other officer of the prison. He may authorize certain prisoners to be employed in the service of the prison, but not in its discipline, or in his own private service, or that of any of the officers. To have general superintendence. To acquaint himself with prison rules. May authorize employment of prisoners in the service of the prison.

3. He shall attend to the employment and industrial training of the prisoners, and assist with his influence and authority the exertions of the chaplain for their reformation, communicating freely and confidentially with him on all subjects having reference to that object. To assist the efforts of the chaplain.

4. He shall exercise his authority with firmness, temper, and humanity; abstain from all irritating language, and not strike a prisoner. He shall bear in mind that the object of his duties, and of those of all officers and servants under his direction, is not only to give full effect to the sentence awarded to the convicts during this reformatory period of confinement, but also to instil into their minds sound moral and religious principles, and induce in them practical habits of industry, regularity, and good conduct. With this view, while enforcing strict observance of the rules regarding labour and discipline, the governor will be careful to encourage every effort at amendment on the part of the prisoners, and will require all officers and servants of the prison in their several capacities to do the same. Conduct towards prisoners.

5. Upon the reception of every prisoner he shall direct him to be placed in the probationary ward, and shall take the earliest opportunity of seeing him. In the event of any prisoner's being received without the prescribed certificates and information from the prison from which he has been transferred, the governor shall apply for the necessary particulars, and communicate them, when received, to the chaplain; and in the event of his not being able to procure a satisfactory answer to such application, he shall report the same to a director without delay. Proceedings on the reception of prisoners. To apply for information, if not received with a prisoner.

6. He shall, as soon as possible after the admission of any prisoner, explain to him his state and condition in the prison, the objects for which he is sent there, and his future prospects, taking care to make him understand how much his future welfare will be affected by his conduct during confinement. To explain to the prisoner the object of his imprisonment.

7. He shall have the same powers over the prisoners committed to his custody as are incident to the office of a sheriff or gaoler; and in case of any abuse of such custody, or other misbehaviour or negligence in the discharge of his office, he shall be liable to the same punishment as a gaoler is now subject to by law. General powers and responsibility.

8. He shall attend divine service in the prison whenever it is performed, inserting in his journal any omission, and the cause thereof; he shall see that the subordinate officers and prisoners attend such service, unless prevented by illness, or excused by leave of absence, To attend divine service.

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In absence of chaplain to read prayers.

absence, or by prison regulation; he shall deliver, or cause to be delivered to the chaplain, a list of prisoners belonging to the probationary or general wards absent from divine service, with a statement of the causes of their absence. In case of the unavoidable absence of the chaplain, he shall read the daily prayers, and shall notice the same in his journal.

Complaints from prisoners.

9. He shall on all occasions be ready to receive and investigate any complaint, and attend to any application from a prisoner.

Inspection of prisoners, &c.

10. He shall daily inspect the prison, and see every prisoner confined therein. He shall inspect the cells, school-rooms, work-rooms, and dormitories, and every other part of the establishment. He shall also examine the bedding and provisions. Whenever he is prevented from making this daily inspection, he shall enter the fact in his journal, reporting the cause thereof.

To visit infirmary.

11. He shall visit the infirmary frequently, and see that proper arrangements are made for the safe-custody of the sick prisoners, and that discipline is maintained, so far as is consistent with the medical treatment prescribed for them. He shall on all occasions support and assist the medical officer in the performance of his duties, and shall consult him respecting the quality of the provisions furnished to the prisoners.

Cleanliness.

12. He shall enforce a high degree of cleanliness in every part of the prison, and, also, with respect to the persons of the prisoners, their clothing and bedding, and everything else in use.

Security of the prisoners, and precaution against fire.

13. He shall take every precaution necessary for preventing escape; and shall cause a daily examination to be made of the cells, windows, bars, bolts, locks, &c. He shall see that no ladders, planks, wheelbarrows, ropes, chains, implements, or materials of any kind likely to facilitate escape are left unnecessarily exposed at any time in the yards; all such articles when not in use must be kept in their appointed places. He will take care that no rubbish is piled against the boundary wall. He shall also adopt proper precautions against fire, and take care that the fire-engine and the fire-plugs and fittings are kept in an effective state, and that the proper officers and the prisoners are periodically exercised in working them. He shall see that the tanks are filled with water at all times.

Not to allow visitors to officers to sleep within the prison.

14. He shall not permit any person to remain for the night in the apartments of any officer within the prison walls, without written permission from superior authority; such permission to be entered in his journal. Nor shall any subordinate officer or servant occupying any government quarters attached to the prison be allowed to keep a shop or a school, or to have any person not a regular member of his family sleeping in his quarters without special leave; or, on any account, to let lodgings therein.

Intercourse with prisoners.

15. Excepting under special circumstances, and as permitted by the prison rules, he shall not allow any person, except the Judges of the Court of Queen's Bench, the Common Pleas, and the Exchequer, and the Bishop of the diocese, to enter the prison, or converse with a prisoner, without a written order from the Secretary of State, or a director. He shall have power to remove from the prison any visitor to the prison or to a prisoner, whose conduct is improper, reporting the same in his journal.

May suspend subordinate officers.

16. He shall, in case of misconduct, have power to suspend any subordinate officer, but shall report the particulars, without delay, to a director; and every officer or servant, so suspended, shall immediately give up his keys and quit the prison.

May punish prisoners for prison offences.

17. He shall have power to punish a prisoner for offences against the prison rules, and may order any prisoner so offending to be punished, by whipping, or by being sent to the penal class, or being confined in his cell, or by being fed on bread and water only, or by both such punishments, for any term that shall be directed, or by removal to a lower class, or by suspension for a time without actual removal of the privileges of his class; but a prisoner is not to be employed at severe hard labour while on bread and water. In a case of absolute necessity he may put a prisoner in irons, such irons, however, not to be continued on an offender for a longer period than seventy-two hours, without the written order of a director, specifying the cause thereof and the time during which the prisoner is to be kept in irons, which order shall be preserved by the governor as his warrant.

To attend corporal punishment.

18. He shall attend all corporal punishments inflicted within the prison; and he shall enter in his journal the hour at which the punishment was inflicted, the number of lashes, and any orders which the medical officer may have given on the occasion.

To answer inquiries.

19. He may answer such letters as may be addressed to him by the parents or natural guardians of a prisoner respecting his health or moral conduct, according to a prescribed form, but not oftener than once in three months, and he may communicate to the prisoner, at his discretion, information which he may receive respecting the health of the prisoner's parents, guardians, or near relations; but no other officer of the prison shall communicate in any manner with the parents or friends of a prisoner respecting him, nor with a prisoner, either from or respecting his parents or friends, unless specially authorized to do so by a director.

20. If

Prisoners of different religious persuasions may be visited by ministers of their own persuasion.

20. If any prisoner shall be of a religious persuasion different from that of the Established Church, a minister of such persuasion, at the special request of such prisoner, shall be allowed to visit him, at proper and reasonable times, by application to the governor, under such regulations as may be approved by the Secretary of State.

Illness of officers or prisoners. Lists of prisoners to be furnished to chaplain and medical officer.

21. He shall notify to the medical officer, without delay, the sudden illness of any officer or prisoner, and shall furnish to him a daily list of the prisoners reported sick in the prison. He shall also furnish to the chaplain and medical officer, on their visits to the prison, lists of such prisoners as are placed in separate or close confinement.

To notify particular cases to chaplain and medical officers.

22. He shall call the attention of the chaplain and medical officer to the case of any prisoner whose state of health in mind or body appears to require their attention.

To carry into effect the directions of the medical officer as to cleanliness, &c.

23. He shall carry into effect the written directions of the medical officer for separating prisoners labouring under infectious, contagious, or mental diseases, or suspected thereof; and shall immediately give directions for cleansing, disinfecting, and lime-washing any places occupied by such prisoners; and for washing, disinfecting, fumigating, or destroying any foul or suspected apparel or bedding.

To carry into effect medical officer's directions as to diet, &c.

24. He shall carry into effect the written requisitions of the medical officer as to the supply of any additional bedding, clothing, or alteration of diet, for any prisoner, or with respect to any alteration of discipline or treatment in the case of any prisoner whose mind or body appears to require it, or to be injuriously affected by the discipline; and he shall immediately report in writing to a director the case of any prisoner thus affected.

Death of prisoners.

25. He shall give immediate notice of the death of any prisoner to the proper authority, and also to the coroner for the Isle of Wight, in order that an inquest may be held on the body of such prisoner; and he shall take the necessary measures, in concurrence with the chaplain, for the decent interment of the body in such burial-ground as may be appointed for the purpose.

Property book.

26. He shall keep a "Prisoner's Property Book," for the entry of all money and articles belonging to prisoners on their admission, or that may be sent to them afterwards, and to show how all such property may have been disposed of.

Journal.

27. He shall keep a "Journal," for recording all occurrences of importance within the prison, particularly such as relate to the health, discipline, or employment of the prisoners; their removal from one class to another; the prisoners who may be placed in separate confinement; the infringement, from whatever cause, of any of the prison rules; and also all punishments inflicted by his or other authority, referring for particulars of such cases to the Misconduct Book.

Character book.

28. He shall keep a "Character Book," in the prescribed form, and enter therein concisely his observations on the character and conduct of every prisoner, for the purpose of preserving such a record of these particulars as shall guide him in a proper classification of the prisoners during their probation, and in conferring good-conduct badges on those who deserve them, also to enable him to report with confidence, whenever he may be called upon, in conjunction with the chaplain, to assist the authorities in determining the period of detention of the different prisoners. He shall take every opportunity of impressing on the prisoners that the particulars of their conduct are thus noticed and recorded; and that whilst no effort at good conduct and industry on the part of a prisoner will be disregarded by the authorities of the prison, every act of wilful misconduct and punishment will be equally noted, and will tend to prolong the period of his detention under penal discipline. The importance of the character book will be obvious; and it must be the governor's care, in making this record, carefully to consider every circumstance of the case, and to prevent the operation of favour and caprice in the reports on which he will partly form his judgment of the merits of each individual.

To attend to daily reports. To issue orders for various purposes.

29. He shall carefully read over the daily reports hereinafter directed to be made to him, as soon as they are received by him, and shall give his immediate attention to such matters contained therein as may appear to call for his interference or notice. He shall issue his orders in matters relating to the management of the prison by inserting them in the "General Order Book," from which the warders shall copy the orders relating to themselves or their duties into the "Warder's Order Book." Orders allowing leave of absence to officers shall be entered in the general order book; and if any other officer is charged with any duty usually performed by the officer permitted to be absent, an instruction to that effect must appear in the order. All orders issued by the governor to any officers of the prison for the regulation of their conduct, or which in any way affect the management of the prison, shall be given in writing, and signed by him.

To give his orders in writing.

Officers' Misconduct Book.

30. He shall keep a "Prison Officers' Misconduct Book," and may fine subordinate officers and servants in any amount not exceeding 5*s.* for neglect of duty or other offence against the prison rules. The amount of the fines to be applied as may from time to time be directed. He shall make a confidential report quarterly to a director for information of the chairman, on the character and qualifications of the discipline officers, noting whether they perform their duties with such zeal and intelligence as will entitle them to future promotion in the convict service. This report will be accompanied by an abstract of the offences recorded in the officers' misconduct book, and the fines or other punishment inflicted. He will,

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will, also, notice their state of health, and ability to perform their duty, and call upon the medical officer to examine such as appear unequal to it.

Prisoners' Misconduct Book.
Notice of the punishment of prisoners to be given to surgeon.

31. He shall keep a "Prisoners' Misconduct Book," for the entry of all offences committed by prisoners, and the manner in which such cases may have been disposed of. He shall also enter a concise account in the "Character Book;" and whenever he shall confine any offender, or shall punish him by changing his diet, for more than 24 hours, he shall give notice thereof to the surgeon, in order that he may see such prisoner, as hereinafter directed.

Register and Description Books.

32. He shall keep a "Prison Register" and a "Description Book of Prisoners," in the prescribed forms, and all other books that may be required by a director; and shall send in to the proper authorities all such returns or reports as they may from time to time require from him.

Account books.

33. He shall keep such account books for the entry of all payments and receipts as may be required of him by the authorities; and shall render such accounts (accompanied by the proper vouchers) as they may consider necessary. He may at any time call for and examine the accounts kept in any department of the establishment.

To examine steward's books quarterly, and to debit himself with money received for prisoners.

34. He will make a quarterly examination of the steward's books, and affix his signature thereto. He will debit himself with all money received on behalf of prisoners as money advanced to him on account of the establishment.

Catalogue of books.

35. He shall see that a catalogue is kept of all books and printed papers allowed to be in use for the prisoners.

To keep letters written and received.

36. He shall duly keep all official letters addressed to him, and caused to be entered in the "Letter Book" copies of all official letters that may be written by him, or under his direction.

To be responsible for the safe custody of journals and other documents.

37. He shall be responsible for the safe custody of the registers, journals, account books, captions, or orders of court, and all other books and documents required to be kept by him or confided to his care; shall see that they are preserved unmutilated and unaltered; and shall, when required by superior authority, produce such books and documents for inspection.

To have assistance in his office.

38. He shall be allowed such assistance as may be deemed necessary for carrying on the general business of his office.

Inventories and account of stores.

39. He shall see that the steward takes inventories of all articles of stores, furniture, &c. under his charge, and if he shall have no reason to doubt the correctness of such inventories, he shall sign the same, and transmit them to a director, with any remarks that he may think proper to add thereto, as soon as possible after the 31st of March in each year. He shall also see that the steward keeps and renders the required accounts of all stores, and that he brings forward for periodical inspection such as are unserviceable or repairable, in order that they may be condemned or ordered to be repaired; also that the condemned stores are disposed of as may be directed; and he shall immediately bring to the notice of a director any deficiency that may come to his knowledge.

Survey of provisions, &c.

40. He shall frequently inspect the provisions furnished for the prisoners; and in case any complaints shall be made to him respecting the quantity or quality of any article delivered for the use of the prison, he shall survey the same, with the aid of the medical officer and such person or persons as he may think fit to call in for the purpose of assisting his judgment, and shall give such directions as may appear to him upon such survey to be necessary, entering the complaint and the proceedings thereupon in his journal.

To promote economy to the utmost.

41. He shall promote the utmost economy in every department, and carefully examine all demands submitted by the respective officers, before signing and forwarding them for approval.

To give orders for articles wanted in the prison.

42. He shall receive demands, signed by each officer for his own department, for all articles wanted for the works or manufactures carried on within the prison, and for all such as are required in the steward's department from the steward, (but shall exercise his own judgment on the propriety of such demands,) and shall give such orders thereupon, for issuing the articles demanded, as he may think necessary or expedient.

In case of emergency to apply to a director.

43. He shall freely and confidentially communicate with a director in all matters relating to the prison, apprising him of any occurrence of importance, and in case of any emergency not sufficiently provided for in the rules, he shall apply to him, and conform to his orders; acting, if necessary, in the meantime to the best of his own judgment, according to the circumstances of the case.

To direct repairs in certain cases.

44. He may on his own authority give directions for repairs on occasions of pressing emergency, immediately reporting the particulars of every case in which he exercises such discretion.

To apply to a director in cases of emergency.

45. He shall, in all cases in which he may entertain doubts as to the true meaning of any directions contained in these rules, or of any orders which he may receive, or shall experience any material difficulty or inconvenience in carrying them into effect, take the earliest

earliest opportunity of referring the points upon which explanation or further instructions shall appear to him to be required to a director, and shall on no account take upon himself to suspend any order, or to deviate therefrom, except during such time as may be necessary for such reference.

Introduction of spirits and other forbidden articles.

46. He shall see that a notice-board is kept affixed in some conspicuous place, near the prison gate, cautioning persons from bringing spirits, fermented liquor, tobacco, letters, or other prohibited articles, into the prison. He may apprehend any person so offending, or who may attempt by any means to introduce into the prison letters or other prohibited articles, and he shall take the person so apprehended before a Justice of the Peace. He shall not give permission for the introduction of such articles, except (under approved regulations) for the use of the officers or servants, or on the requisition of the medical officer for the use of the sick.

Governor to make a yearly report.

47. He shall submit to the directors, for the Secretary of State, on or before the 10th of January in each year, a report in writing, specifying, with reference to the preceding year, the conduct of the subordinate officers; the number of prisoners committed to his custody; the manner in which their respective sentences have been carried into execution, their treatment and condition; the particular species of labour in which such prisoners have been employed, the average number of hours in a day for which they have been so employed; the amount of their earnings; the state and condition of the buildings, fences, &c.; the repairs, additions, or alterations which have been made or may be required; the expenses of the prison; any abuse or abuses which he may have observed, or of which he may have received intimation, in the management of the same; the number of escapes; as well as the general state of the prisoners as to morals, discipline, employment, proficiency in trades, and observance of the rules; together with a certificate, signed by himself, containing a declaration that the rules laid down for the government of the prison have been complied with in every instance, except in such cases as have been distinctly reported to, or brought under the notice of, a director.

The Chaplain.

Qualification.

1. The chaplain shall hold no other preferment with cure of souls, nor will he be permitted to take pupils. He shall reside in the house provided for him.

Control to which he is subject.

2. He shall be subject to no control in matters strictly within his department, but that of the Secretary of State or of a Director. He shall represent to a director, and to the governor, whatever may appear to him to be worthy of their notice, or suggest anything which he may conceive likely to prove beneficial to the prisoners, or tend to their reformation or industrial training; but he shall take care not to interfere with the established rules and regulations of the prison, as to security or the routine of discipline and labour. He shall also be careful to conform to all such rules himself, so far as they apply to him.

Services and prayers.

3. He, or the second chaplain, shall read prayers and preach a sermon in the chapel or other appointed place both morning and evening on every Sunday in the year, and also on every Christmas-day and Good Friday, and on every day appointed for a general fast or thanksgiving, at such hours as shall be prescribed by the rules. He, or the second chaplain, shall read prayers, selected from the liturgy, and a portion of Scripture, in chapel or other appointed place every morning, (unless unavoidably absent, when the governor, or some other person, approved by a director or the governor, shall read for him,) at such hours as shall be fixed from time to time by the rules. He shall select prayers and portions of Scripture for the evening prayer, to be read by himself, the governor, or the schoolmaster, to the prisoners, when assembled in the hall or school-rooms, previously to their being locked up for the night. He shall inter such prisoners as may die in the prison in the burying-ground provided for that purpose, unless the minister of the parish shall do so, registering the same in his journal. He shall transmit to the registrar of the district an account of each death occurring in the prison, with the date thereof.

To obtain a knowledge of the prisoners' characters.

4. He shall endeavour, by all means in his power, and particularly by encouraging their confidence, to obtain an intimate knowledge of the character and disposition of the prisoners. He is expected to allot a considerable portion of his time to visiting, admonishing, and instructing the prisoners.

Schools.

5. The schoolmasters and schools shall be placed under the control of the chaplain, who shall direct what course of instruction shall be pursued in the schools. The chaplain shall be responsible that such regulations regarding the schools as have been or may be issued by a director are duly observed, and he shall give to the schoolmasters from time to time such instructions as may appear to him necessary for their guidance in the performance of their duty. All such instructions to be in writing, inserted in the chaplain's Order Book, and dated and signed by him. He shall require the schoolmasters to furnish him with such written reports as he may think necessary respecting the educational progress of the prisoners, and their conduct in school. He shall daily visit the schools, and observe that the masters fulfil their duties efficiently.

Schoolmasters.

Books and printed papers.

6. No books or printed papers shall be admitted into the prison but such as shall be approved by the chaplain for the use of prisoners belonging to the Established Church, or by a director for the use of other prisoners. In case any difference of opinion should arise between

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between the chaplain and a director with respect to the books to be admitted for the use of prisoners belonging to the Established Church, the question shall be referred to the Bishop of the diocese, whose decision shall be final.

To keep a journal and character book.

7. He shall keep a "Journal" of all occurrences of importance within his observation or knowledge, and shall enter therein from time to time any particulars or observations as to the character, conduct, and progressive improvement of the prisoners during their confinement. He shall also keep a "Character Book," in the prescribed form, in which, in the first instance, he shall enter the names of all prisoners; and he shall subsequently, from time to time, carefully note his opinion on the character and improvement, or otherwise, of every individual prisoner in the probationary and general wards, so that he may be able with confidence to refer to this record, when called upon periodically to confer with the governor on the necessary recommendation for the classification of the prisoners, or their disposal on discharge; he shall insert the dates of the discharge of such as shall leave the prison, and any circumstance connected with their future prospects; and, also, those of the death of such as may die within the prison, with entries of the interment of each in the burial-ground of the prison. The journal, and character book, or other documents, shall be submitted to a director, as may be required; and he shall make such periodical or other reports as from time to time may be required of him.

To see and converse with prisoners on admission, &c.

8. He shall take an early opportunity of seeing and conversing with each prisoner on his admission, and shall visit daily any prisoner who may be separated under punishment or special discipline, or in confinement for any offence committed in the prison.

Absence.

9. In case of absence from the prison, on leave, he shall name a substitute, to be approved by a director; and in the event of being accidentally prevented from performing his duty, by illness or otherwise, he shall record the cause of omission in his journal, and may on such occasions provide some other clergyman to officiate for him in the chapel. He may accept the occasional assistance of a clergyman in the discharge of any part of his duties in the chapel, inserting the name of such clergyman in his journal.

Officers to communicate with the chaplain.

10. It being of the utmost importance that the chaplain should be fully informed concerning the moral state and condition of the prisoners, the governor and deputy-governor will communicate to him without delay all such occurrences as may appear to render his interposition expedient; and the subordinate officers will also consider it their duty to give the chaplain the earliest information on such subjects, when they meet him in the parts of the prison to which they respectively belong.

To communicate with a director.

11. He shall freely and confidentially communicate with a director on all matters within his department, apprising him of any occurrence of importance, affecting the moral or religious welfare of the prisoners.

Annual report.

12. He shall submit to the directors, on or before the 10th day of January in each year, a report, for the Secretary of State, in writing, specifying, with reference to the preceding year, the religious and moral condition of the prisoners, their progressive improvement, and the method adopted for recording it, and encouraging the exertions of the prisoners; the course of instruction pursued in the schools, the books in use, and the apparent effects of the discipline of the prison; a statement of the disposal of the prisoners on their discharge, their prospects, and any account of them which he may have subsequently received.

Appendix, No. 8.

LETTER from Captain *Hall*, Governor of Parkhurst Prison, addressed to the Chairman of the Committee.

Parkhurst Prison, 21 June 1852.

Sir,

I BEG leave to transmit to you, enclosed, some returns which may be interesting to the Select Committee on Criminal and Destitute Juveniles, as they relate to points on which I gave evidence on the 14th instant.

The papers enclosed are,—

1. A return of the number of prison offences punished at Parkhurst during the last three years, showing the total number of boys in each department of the prison, the number who did not incur any punishment, and the number of offences for which corporal punishment was awarded in each year.

2. A memorandum respecting the solitary instance of flogging with a "cat," to which I made allusion in my evidence.

3. A statement of the authorized dietary in use at Parkhurst.

4. A return showing the number of previous convictions or imprisonments of several of the younger prisoners lately received at Parkhurst.

I would leave it entirely to the Committee to judge whether these returns, or any portions of them, should be appended to my evidence.

As some Members of the Committee appeared to be of opinion that the system of discipline pursued at Parkhurst must preclude the officers of the prison from obtaining any kind feeling towards themselves from the prisoners, I shall feel much gratified if the Committee will take the trouble to read the enclosed letters, which will, I think, remove such a misapprehension from their minds. The letters which I enclose are written, almost exclusively, by prisoners removed in disgrace from Parkhurst, after having undergone the strictest discipline with us, and who would therefore be the persons who might be expected to feel animosity or dislike towards those who had been their officers at Parkhurst, if any of the prisoners did so.

The letters are addressed either to me or to the warders under whose immediate charge the prisoners had been placed at Parkhurst.

The boys writing to us at all was entirely voluntary, and their expressions altogether spontaneous; as their connexion with Parkhurst had been dissolved, and they had no longer anything to hope or to fear from any one here.

As I value the letters much, and have no copies of them, may I beg that they may be returned to me when they shall have been perused by any members of the Committee who may feel interested in reading them.

I have, &c.

(signed) *George Hall.*

The Right Hon. M. T. Baines, M.P.

No. 1.

PARKHURST PRISON.

RETURN showing the NUMBER of PRISONERS in the several Wards, the TOTAL NUMBER of OFFENCES recorded, and the NUMBER of PRISONERS who have not been Punished or Recorded in the Defaulter Books, for the Years 1849, 1850, and 1851.

WARDS.	YEAR.	Total Number in each Ward.	Total Number of Offences, and where Committed.	Total Number of Prisoners who have not been Punished or Recorded in the Defaulter Books.	Total Number of Offences for which Corporal Punishment was Inflicted.*	REMARKS.
Probationary	1849	345	Wards 1,019 / School 232	106 / 267	17	The corporal punishments which are separately stated in the last column, are included also in the total number of punishments shown in the 4th column.
	1850	166	Wards 270 / School 53	40 / 133	1	
	1851	286	Wards 473 / School 185	109 / 214	11	During the first 10 months of 1849 no rewards were given for good conduct beyond admission to the evening school class.
Junior	1849	250	Wards 5,807 / School 99	11 / 151	32	In November 1849 badges for good conduct were allowed to be worn to indicate the class from which boys should be selected for embarkation with tickets of leave, but without any immediate reward.
	1850	264	Wards 4,321 / School 70	45 / 194	44	
	1851	275	Wards 1,881 / School 60	64 / 215	26	On 1st April 1851 the present system was introduced of crediting wages to boys wearing badges, giving them pudding at dinner on Sundays, and allowing them to correspond with their friends once in every three months.
General	1849	518	Wards 4,176 / School 229	122 / 368	20	
	1850	510	Wards 2,913 / School 148	159 / 420	21	
	1851	490	Wards 1,025 / School 55	218 / 449	10	

* From 1st January to 15th June 1852 only 14 whippings were inflicted altogether throughout the prison, with an average number of 570 prisoners daily.

16 June 1852.

George Hall, Governor.

No. 2.

MEMORANDUM respecting Corporal Punishment with a "Cat" at Parkhurst Prison.

ON the 24th November 1844, three prisoners, two aged 18, and one aged 17 years, all under sentence of transportation for 10 years, one having been previously in prison 14 times, another 13 times, and the third having been convicted of a daring burglary previous to the crime for which he was transported, made their escape from the prison under circumstances of peculiar daring.

The details of this case being reported by me to the Committee of Visitors, and communicated to the Home Secretary, I was instructed to cause each of these prisoners to be flogged with 24 lashes each.

The punishment was inflicted, but I took the responsibility of remitting 10 lashes in one case, and four in another.

No other instance of flogging with the "cat" has occurred at Parkhurst, either before or since November 1844.

(signed) *George Hall,*

Governor Parkhurst Prison.

No. 3.

No. 3.

PARKHURST PRISON.

DIETARY, as directed by the SECRETARY OF STATE for the HOME DEPARTMENT.

	GENERAL WARDS.	JUNIOR WARDS.	REFRACTORY WARDS.
Breakfast	1 pint cocoa, made with ¾ oz. of flaked cocoa, ¼ pint of milk, and ¾ oz. of molasses. 8 oz. of bread.	1 pint of cocoa, made with ¾ oz. of flaked cocoa, ½ pint of milk, and ¾ oz. of molasses. 6 oz. of bread.	1 pint of gruel, made with 2½ oz. of oatmeal and ¾ oz. of molasses. 8 oz. of bread to general wards. 6 oz. of bread to junior wards.
Dinner Sunday, Tuesday, Thursday, Saturday	4 oz. cooked beef, without bone. ¾ lb. potatoes. 1 pint of broth, made from the liquor in which the beef has been boiled, with 4 oz. potatoes, 1 oz. Scotch barley, flavoured with onions, salt, and pepper. 6 oz. bread.	4 oz. cooked beef, without bone. 1 pint of broth in which the beef has been boiled, with 4 oz. of potatoes, 1 oz. Scotch barley, flavoured with onions, pepper, and salt. ½ lb. potatoes. 4 oz. of bread.	General Wards: 8 oz. bread; ¾ lb. potatoes. Junior Wards: 6 oz. bread; ¾ lb. potatoes.
Dinner Monday, Wednesday, Friday	1 pint of soup, made with 3 oz. of beef, cooked, without bone, 3 oz. of potatoes, 2 oz. of barley or rice, 1 oz. of onions or leeks, with salt and pepper. 6 oz. of bread. 1 lb. of potatoes.	1 pint of soup, made with 3 oz. cooked beef, without bone, 3 oz. potatoes, 2 oz. barley or rice, flavoured with pepper and salt, and 1 oz. of onions. 4 oz. bread. ¾ lb. potatoes.	
Supper	1 pint of gruel, made from 2½ oz. of oatmeal and ¾ oz. of molasses. 6 oz. of bread.	1 pint of gruel, made from 2½ oz. of oatmeal and ¾ oz. of molasses. 6 oz. of bread.	1 pint of liquor in which the meat for the other prisoners has been boiled, and 6 oz. of bread.

Salt, 1 oz. to each prisoner, including that consumed in the soup. Fresh vegetables to the probationary, general, and junior wards occasionally.

George Hall, Governor.

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No. 4.

RETURN showing the Number of previous Imprisonments of some of the Younger Boys lately admitted into Parkhurst Prison.

Reg. No.	NAME.	Age.	Date, and Place of Conviction.	Crime.	Sentence.	Number of Times previously in Prison.	REMARKS.
161	Robert Tasker -	13	6 May 1851; Perth - -	Theft - - -	7 years' transportation	3 times for theft - -	No parents.
131	James Gardiner -	14	8 April 1851; Dumfries -	Theft - - -	7 " "	Repeatedly.	
118	Charles Redding -	14	22 Sept. 1851; Clerkenwell Sessions.	Picking pockets -	7 " "	1 felony, 4 vagrancy -	Father, lawyer's clerk.
103	Michael Quillan -	13	19 May 1851; Knutsford Sessions.	Stealing an ass -	7 " "	- - 1 felony, 1 vagrancy, 3 times Juvenile Act.	Father a carpenter.
65	Michael Lynch -	14	7 April 1851; Liverpool Sessions.	Felony - - -	10 " "	1 felony, 3 vagrancy -	Mother a dressmaker.
56	Joseph Reid - -	11	7 April 1851; Liverpool Sessions.	Felony - - -	7 " "	1 felony, 4 vagrancy -	- - Mother a charwoman; in Liverpool Gaol, a prisoner.
52	Thomas Jones - -	13	7 April 1851; Liverpool Sessions.	Felony - - -	7 " "	3 felonies, 4 vagrancy -	- - Father a clerk; has deserted his children.
26	Jonathan Moyses -	11	9 April 1851; Ely - -	Horse stealing -	10 " "	- - - - -	- - "Bad, vicious, and destructive," is the character given by the governor of Wisbeach Gaol.
75	Thomas Dams -	13	7 July 1851; Nottingham -	- - Stealing a silver watch.	7 " "	3 felonies, 3 vagrancies -	Father, framework-knitter.
60	John Toohey - -	13	20 May 1851; Clerkenwell -	Picking pockets -	7 " "	1 felony, 3 misdemeanors	Previously at the Philanthropic.
391	Henry Dudley -	15	23 Feb. 1852; Westminster Sessions.	Larceny - - -	7 " "	1 felony, 19 misdemeanors	- - "Incorrigible bad boy," by Mr. Tracy. No father; mother a washerwoman at Chelsea.
378	Charles Meek - -	11	12 Jan. 1852; Gloucester Sessions.	Stealing an oak desk	7 " "	2 felonies - - -	- - Father a French polisher; has deserted him.
371	William Buckley -	13	13 Feb. 1852; Manchester Sessions.	Shopbreaking - -	7 " "	- - 1 felony, 3 vagrancy, 1 Juvenile Act.	
360	David Marshall -	14	21 July 1851; Edinburgh -	Theft - - -	7 " "	8 imprisonments - -	- - Father a labourer, Canongate, Edinburgh.
342	Richard Kirkman -	14	15 July 1851; Kirkdale Sessions.	Stealing money -	10 " "	2 felonies, 2 acquittals -	- - Father managing overseer in a factory.
328	John Lawrence -	12	20 October 1851; Gloucester Sessions.	Larceny - - -	7 " "	- - 1 felony, 1 summary conviction.	
274	John Redding -	13	30 October 1851; Middlesex Sessions.	Felony - - -	10 " "	1 felony, 3 misdemeanors.	
170	John Watson - -	14	8 May 1851; Perth - -	Theft - - -	7 " "	3 times for theft - -	No father.
151	Daniel Galloway -	13	22 April 1851; Glasgow -	Housebreaking -	10 " "	Twice.	

16 June 1852.

George Hall.

Appendix, No. 9.

THE CHARGE delivered by *Matthew Davenport Hill*, Esq., Recorder of Birmingham, to the Grand Jury of the Borough, at the Quarter Sessions held on Friday, July 5, 1839. Appendix, No. 9.

Gentlemen of the Grand Jury,

It has fallen to my lot to address you, for the first time, under circumstances very painful, and by me quite unexpected. It has so happened that the eve of the day on which, by the gracious command of our Sovereign, we are called upon to bring that noblest institution of our country, trial by jury, into action, amidst the homes by which we are surrounded, should be the time chosen by evil-disposed men to meet in tumultuous assembly, in that same place, with the intention, as was clearly evinced by their subsequent proceedings, to defy the law, and overpower its ministers by main force.

My disappointment you doubtless all share with me, because you know that Birmingham has been celebrated throughout the whole kingdom for the good order with which its vast assemblages of the people have been conducted.

These peaceful meetings had been supposed to have put to rest all question as to whether large numbers could be allowed to meet at their own will and pleasure, without any other control than their own good sense and loyal feelings, which it has been thought would always lead every class of the community to consider the subversion of public order as a heavy calamity to honest men, and only to be desired by plunderers and incendiaries.

And so long as these congregations appeared to hold any lawful object in view, however wild or unreasonable, indeed so long as their objects remained in doubt, so long did the magistracy of this borough do quite right not to interpose any obstacle to their fellow-townsmen assembling together, whether the grievances which they proposed to themselves to discuss were real or imaginary. But when it was clear to all eyes that the only intention and effect of those meetings, so frequently repeated, was to disturb and overawe the loyal inhabitants of the town, whose comfort was destroyed and whose safety was endangered, the just limits of toleration were passed; the magistrates had to choose between forbearance to the disaffected and tumultuous on the one hand, and that support which they were sworn to give to the peaceful and unoffending who claimed their protection. In such a state of things forbearance, far from being a virtue, would have become a crime. The magistrates, therefore, have acted as became the upholders of the law in calling in the aid of an armed force to restore and preserve the peace of the borough; and notice and admonition having proved unavailing, they were bound to employ that force with promptitude and vigour.

On this topic I shall say no more, for the sufficient reason that some persons are in custody awaiting their trial upon charges founded on their alleged conduct on the occasions to which I have referred. It would ill become me, and would argue a strange forgetfulness of my duty, to utter a single word which could operate to deprive such persons of a fair trial; which, as it is the highest boast of Englishmen that all persons accused should enjoy, so it is peculiarly incumbent on me, filling the seat of justice, to be cautious that nothing falling from my lips should in the least degree impair. But I must be allowed, in quitting the subject, to express my deep regret, and the bitter humiliation I feel, that the first introduction of trial by jury into the town of Birmingham should be made unhappily memorable by the circumstances under which I am now speaking; by the necessity in which I now find myself of sitting under the protection of the sword: but to this unhappy necessity we must all submit. To my feelings as a lawyer, and an admirer of our constitution, nothing can be more abhorrent than that the administration of justice should be carried on in the presence of a military array. In common with yourselves I am imbued to the full with jealousy of military interference. In the administration of justice, soldiers, under pretence of guarding the ministers of the law from outrage, have been employed in some periods of our history to overawe their proceedings; their attendance, therefore, is never permitted except when required by an overwhelming necessity to which all rules must give way. Meanwhile our care must be to perform our duties, forgetting as much as possible the untoward circumstances in which we meet.

I can scarcely suppose that the gentlemen whom I am addressing, many of whom I have known from my earliest youth, that men, filling your eminent position in the borough, and feeling, as I know you all do, sincere and ardent interest in its welfare, can have witnessed the change which our Queen has wrought in granting her charter of incorporation, and in commanding me to hold my sessions in your town, without having your minds directed to the reasons for the course which has been taken, and to the benefits which may be expected to flow from this application of the great maxim of our jurisprudence, that "Justice ought to be brought home to every man's door."

The consideration of these questions, as might be expected, has much occupied my own mind; and as principles are involved in them which will have a practical bearing on your duties and my own,—on your duties as persons of influence among your fellow-townsmen as well

Appendix, No. 9.

well as in your present capacity,—I shall proceed to offer such remarks as it has occurred to me might be profitably submitted to your attention.

That crime will be reformed in proportion to the certainty of the detection and punishment of the criminal, is an obvious truth. And experience has at length taught us, that a certain punishment, though slight, is far more effectual to deter from crime, than the terror of the heaviest penalty that man can inflict where the chances of escape are numerous.

Much has been done of late years to make a nearer approach to certainty of punishment. Formerly the whole expense of prosecutions fell on the injured party, who, having suffered once from the inability of the public to protect him, was made to suffer again, and often with much greater severity, that he might protect the public.

It is easy to see that so heavy a tax on prosecutions must have operated as a bounty to crime. Defraying the expenses from a public fund has greatly diminished this evil; but, it is quite evident that, unless prosecutors and witnesses were remunerated to an amount which might furnish a motive to fabricate charges against the innocent (to say nothing of the burthen which would be accumulated on the ratepayer), much loss and inconvenience must still fall on individuals taken from their occupations and detained at a place remote from their dwellings. Nor would money, however lavishly expended, be in all cases a compensation for this enforced absence.

To remove every motive to supineness in the injured party—to relieve him and his witnesses in the performance of a public duty from unnecessary sacrifice—it is indispensable that he should find the seat of justice at hand. And to the prisoner, if innocent, the benefit of being tried on the spot where the offence is alleged to have been committed, must be equally clear.

It has often occurred to me to hear a poor and ignorant man, who has been carried to a distance from the scene of his imputed crime, and of necessity, therefore, separated from his friends, fixed as they were by poverty to the spot where they lived, asked if he had any witnesses on his behalf. His answer has painfully struck upon my ear; he has said, "I have witnesses, but I have no money to bring them before you." In Belgium, the cost of the witnesses for the prisoner is paid by the public. It is not easy to find a satisfactory reason for our English practice; but we clearly diminish its evils when we bring the accused to trial on the spot where his witnesses may be expected to be found.

Gentlemen, although I have put the advantages to the innocent prisoner last in order, they stand first in my estimation. That the administration of the law should be the administration of justice, is the most sacred of human duties. The fearful power assumed by erring man to inflict pain and disgrace on his brother, can only be justified when, feeling his awful responsibility, and conscious of the imperfection of his faculties, he spares nothing within the compass of his means to judge according to the truth. God forbid that, to ensure the destruction of the guilty, we should put to peril the safety of the innocent.

And, gentlemen, if we could bring ourselves to act on a principle so abhorrent to the maxims of English law, and so revolting to the feelings of Christian men, how short-sighted would be our policy! how miserable the attempt to repress crime by crime!

For on what, after all, are we to depend for upholding the law? In the present state of things, assuredly not on punishing all offences. To that certainty of punishment, of which I have spoken, we have as yet made but distant approaches, for causes to which I shall presently advert.

If, therefore, the people of this country were only deterred from crime by fear of legal punishment, there is little reason why offenders should not multiply a hundred fold. But they are withheld by better motives; and among them I give a high place to that veneration for the law which results from the confidence of the country in its just administration. To this confidence we owe the proud distinction, that here the people range themselves on the side of the law, while in many countries a prisoner is always treated by his fellow subjects as a persecuted man, suffering from a tyranny only the more powerful and the more to be detested, because clothed with the forms and armed with the weapons of justice.

Long, gentlemen, may this wholesome feeling remain among us; but it can only be retained and perfected by a sincere determination to let no impression, however strong and however well-founded, of the mischiefs resulting from the escape of the guilty, produce the slightest bias on our minds against the prisoner, or narrow by a single hair's breadth the full proof which the law demands.

And yet, gentlemen, I should be much concerned if I could be supposed to think lightly of criminals escaping from justice. It is a grave misfortune: its example is most pernicious. One unjust acquittal may raise hopes of a career of impunity in the breasts of hundreds exposed to seduction. In short, gentlemen, I hold the acquittal of the guilty only less to be deplored than the conviction of the innocent.

But there are better means of repressing crime than by wresting the rules of law against the accused. And this leads me to occupy your attention for a short time upon the present state of crime in this country, so far as our scanty materials enable us to frame an estimate

estimate of its nature and extent. This done, we shall see more clearly the means for its repression. Appendix, No. 9.

By far the greater number of offences which are found in our calendars are offences against property. This alone, if other evidence were wanting, would prove, what indeed is notorious, the existence of a class of persons who pursue crime as a calling, and are not led astray by casual temptation, or by temporary indulgence of the passions. The numbers of this class it is impossible to assign with accuracy. From the best information I am able to obtain, I cannot place it much lower for England and Wales than 100,000. The greater number of these unhappy persons are engaged in petty thefts. Those who are best acquainted with their habits, and who know how small a part of the value of what they steal they are able to retain for themselves, are of opinion that each one must, on the average, commit several offences per day to be maintained in the manner in which they are known to live. It is also found that, before the thief is finally withdrawn from society by transportation or death, his course of depredation extends over several years. These general facts, which are well ascertained, show how great must be the number of offences which are never detected, or, at all events, never prosecuted, as compared with those which find their way into our calendars, and are treated in most of our statistical tables as if they comprised the total amount of offences committed. How fallacious it must be to confound the number of convictions with the number of offences committed has been established by a valuable document published in the Report of the Commissioners for inquiring as to the best means of forming an efficient Constabulary Force. The paper to which I refer is a table showing the number of forged notes presented at the Bank of England, and the number of convictions for the forgery of bank notes, between the years 1805 and 1837; and I find the proportion of convictions compared with that of offences was as 1 to 164. Now when it is recollected that the uttering of forged notes is the most difficult of all offences to commit with impunity, inasmuch as it cannot be done in secret, and behind the back of the injured party, it will be felt that if the proportion of forgeries committed with impunity is so large, that of thefts which escape detection must be much larger. It is equally clear that while these proportions remain unchanged, it is vain to hope that all the terrors of the law will fail to prevent those who follow depredation as a calling from being a large, and, in one sense, a flourishing class of the community. When, however, the public mind shall be practically conscious of these facts to which I have adverted, and in consequence shall withhold its sympathy from a prisoner, though for the first time convicted, when he shall appear to have resorted to depredation as a stated means of livelihood, then something may be done towards diminishing the numbers of the class, by permanently withdrawing the criminal upon his first sentence from his career of crime; either by transportation, or by imprisonment for a long term, whenever the discipline of our prisons shall be so far improved as to make them places where their inmates may be reformed, instead of more deeply corrupted.

But no change in the sentences of prisoners or in the discipline of prisons will avail to destroy, or in a very large proportion to lessen, this class, until, by a more perfect system of police, and by a greater alacrity among prosecutors, the number of offences escaping detection and prosecution shall be diminished in a manifold ratio. Upon the ignorant and hardened thief conscience has no hold; the danger of his calling he looks upon as the necessary price of its pleasures; the applause of his associates stands him in the place of reputation; even death upon the gallows, which is thus to his mind stripped of disgrace, he regards with feelings akin to those of the soldier looking forward to the perils of honourable war. Nothing, therefore, but such a multiplying of the risks of detection for each offence as shall render it impossible to ply his trade will break up his class; and to aid, as far as his means will allow, in this good work is the duty of every man, and in an especial manner of persons like yourselves, who, by your position in society, are possessed of power and influence. Birmingham has long been favourably distinguished from many other towns by the comparative excellence of its police; certain members of that body I have known for many years, and can bear testimony to the value of their services; but their force is too small. Though much has been done, much remains to do. The staple manufactures of the town being in metals, temptations to dishonesty are of necessity more numerous here than in many other places. They fall, too, on persons of tender age, often ill-instructed to withstand them. They are held forth by the most cunning and nefarious of all the depredating class; I mean, the receivers of stolen goods. When these things are well considered—the loss of property and the feeling of insecurity among the honest part of society, the degradation and misery of the guilty—then will the great subject of the repression and prevention of crime expand in every mind to its due measure of importance. Nor will the means of repressing crime be crippled, I am persuaded, by a false economy; for, even contracting our views to a mere question of expense, it will not be forgotten that a depredator at large is maintained by society, and in a most expensive manner. His prison must indeed be badly managed if he do not cost the country far more when at liberty than when in confinement.

These remarks have done little towards exhausting the subject. I have only touched on the means of repressing crime by acting on the criminal. The means of preserving the honest from falling into the snares of vice,—the diffusion of knowledge, the formation of virtuous habits by moral and religious training, these are topics on which I must resist the temptation to enlarge. The inhabitants of Birmingham have not been wanting in their attention to these important duties. This I well know, for, having spent my youth in this my native town, and having in some small degree assisted in the labours of your Sunday-

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schools, I can testify to their zeal and perseverance. What they have done will convince them better than any words of mine both of the value of their labours and of the necessity for still further extending them; for it is to education, in the large and true meaning of the word, that we must all look as to the means of striking at the root of the evil. Indeed, of the close connexion between ignorance and crime the calendar which I hold in my hand furnishes a striking example. Each prisoner has been examined as to the state of his education, and the result is set down opposite his name. It appears, then, that of 43 prisoners only one can read and write well; the majority can neither read nor write at all; and the remainder, with the solitary exception which I have noted down, are said to read and write imperfectly, which necessarily implies that they have not the power of using these great elements of knowledge for any practical object. Of 43 prisoners, 42, then, are destitute of instruction, and what the one remaining individual has been taught probably comprehends no more of education than the ploughing and harrowing of the soil does of agriculture. There can be no harvest without introductory labours, it is true, but neither will they alone produce the crop.

Gentlemen, it now only remains that I should address a few words to you on your own peculiar functions. Anciently, as you know, grand juries filled the character of prosecutors, presenting such offences as came to their knowledge, or as were brought under their notice by inferior officers having the care of the public peace. In those early times that preliminary examination before magistrates, which now in almost all instances precedes the exercise of your duties, was little known. Your functions would therefore be almost essential to the due administration of justice. At the present day the necessity for imposing your labours upon you is not so obvious; and in the metropolis it has been found that the secrecy with which by law witnesses give their evidence before grand juries has offered facilities to criminals to tamper with them, and to procure bills of indictment to be ignored, upon which, if a trial had been had, and the witnesses had given their evidence under the responsibility arising from public examination, convictions would certainly have been obtained. I shall use all such means as I possess for preventing justice from being thus defeated, and you on your parts will recollect that the sole question for your consideration is, whether or not there is sufficient evidence laid before you to justify a conviction, unless the facts are answered on behalf of the prisoner.

But, gentlemen, although the original utility of the grand jury may have decreased, or even passed away, it is nevertheless an institution of great importance. It is of the genius of our constitution to interest and employ all ranks and conditions of men in the administration of justice. By this provision courts are made really public, not only as they are open to all to become auditors, but inasmuch as the representatives of the various classes are called upon to give their attendance. In an assembly so collected you have a right to be heard; you have a right to address to the bench any matter connected with the administration of the law which in your opinion requires public animadversion, and your suggestions will be in this court, as they are in all others, received with respect. It is through you, also, that the bench addresses the public at large, knowing that what you consider worthy of your attention will be treated with deference by all those whose duties or interests are involved in what is laid before you.

Perhaps you may be of opinion, gentlemen, that I have too fully availed myself of my privilege; if so, I trust you will find my excuse in the deep interest I feel in the people among whom I am to administer the law; a people to whom I am allied by the strong ties of birth and of friendship.

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Appendix, No. 10.

REPORT of a CHARGE delivered to the GRAND JURY of the Borough of *Birmingham*, at the Michaelmas Quarter Sessions for 1848. By the Recorder, *M. D. Hill*, Esq., Q.C.

The Recorder began his charge to the grand jury by stating that he would take the opportunity afforded by there being less than the usual amount of ordinary business, to lay before them the results of such steps as he had taken for the purpose of carrying into effect, so far as the law would allow him, and the means at his disposal would permit, the great principle of reformatory treatment. He addressed himself with confidence to the gentlemen whom he saw before him as representing the inhabitants of this large and important town, because Birmingham had given a memorable sanction to the reformatory principle by causing a vast prison to be erected, at great but not unnecessary expense, in which he was gratified to observe that no arrangements appeared to be wanting for facilitating the adoption of reformatory discipline in its most improved methods. He had had the pleasure of carefully inspecting this building, now nearly completed; and he could not forbear to express his admiration of the sacrifices which had been made by the ratepayers, and made cheerfully, he was informed, for so excellent a purpose. He trusted that in the end this would be found to be a wise outlay; that this liberality would prove true economy even in a pecuniary point of view, without reference to the higher interests involved in the reformation

tion of offenders. It was probably known to most of them that for a period of seven years, beginning early in the year 1841, he had thus acted with regard to juvenile offenders: that when there was ground for believing that the individual was not wholly corrupt, when there was reasonable hope of reformation, and when there could be found persons to act as guardians kind enough to take charge of the young convict (which at first sight would appear to present a great difficulty, but which in practice furnished little impediment to the plan), he had felt himself justified in at once handing over the young offender to their care, in the belief that there would be greater hope of amendment under such guardians than in the gaol of the county; and he was happy to say that the intelligent officer at the head of the police informed him that a much greater number so disposed of were withdrawn from evil courses than of those who, having no such advantages, had been consigned to prison.

"We take," said the Recorder, "as much care as we can not to be imposed upon, either by too sanguine a hope of amendment, or from imperfect information as to the results actually obtained. At unexpected periods a confidential officer visits the guardian, makes inquiries, and registers the facts of which he is thus informed in an account which has been regularly kept from the beginning." The results he (the Recorder) would now submit to them. The number of young offenders so disposed of was 166; of these the conduct of 71 was good. Of the greater number of that 71 the good conduct had been of such long standing that he was warranted in assuming the reformation to be complete and assured. The conduct of 40 was doubtful; that was said partly because their conduct had not been quite consistent, and partly because some of them had been lost sight of, and therefore could not be spoken of with certainty. Of 53 the conduct had been bad, and two were dead. He might observe that he had felt it his bounden duty to take care, when a youth who had had a chance of forsaking his evil ways was again convicted before him, that his punishment should be such as to show that it was from no weakness, from no mistaken indulgence, from no want of resolution on the part of the Court to perform its duty, that a course of mildness had been pursued, but that such an opportunity had been afforded because it had been found by experience not only merciful towards the individual, but profitable to the community. In those instances, therefore, in which the plan had failed, the safety of the public demanded a severe penalty. Nor was it less demanded for the permanent interests of the prisoner himself, because assuredly there was no indulgence more fatal to him who received it than a series of light punishments, which familiarised his mind to degradation, and left the offender in a path which would lead him step by step to the gravest crimes, and consequently to the heaviest inflictions known to the law.

The kindness of the directors of one of the most valuable institutions in the county of Warwick, and which till lately no other county in the kingdom could boast—he meant the asylum at Stretton-upon-Dunsmore—had enabled him to send there certain of the boys whose cases were more peculiarly deserving of attention. Of this permission he had gladly and gratefully availed himself, but it was limited, he was grieved to say, by paucity of funds. These funds were raised by private subscription; and it was mortifying to be forced to state, that, although the asylum had been established nearly thirty years, and its success had been undeniable, it had still to struggle on with a very narrow income. From the Report presented to the county magistrates in quarter sessions during the current year, and which gave the results of the last year, he found that there had been considerable improvements made on those obtained during the earlier years of the institution; doubtless caused by the greater knowledge and experience of those who had the conduct of the establishment, and by that improved standard of moral feeling in the asylum, the slow but sure reward of the faithful and earnest labours of benevolence of which it had now been for more than thirty years the scene. The gentlemen of the jury were aware that the asylum is not a prison, and that there are no physical means whereby the boys might be restrained from leaving it. As a matter of course, therefore, it followed that the means employed could only operate upon the mind and the heart; a circumstance which, although at first it might create its difficulties, was probably no slight cause of ultimate success.

From the year of foundation up to 1827 the proportion of reformed was only 48 per cent.; that is to say, when 100 boys were received, 48 were reformed, and 52 were cases of failure; but in 1843, the improvement was such that the reformed amounted to 56 per cent. In 1844, they reached 58; in 1846, 60 per cent.; and in 1847, the reformed had reached the proportion of 65 per cent. He was sure the grand jury would agree with him that this was a very encouraging state of affairs. It is one of the happiest incidents of good things that they yield readily to further improvement; and every reason for hoping that the ultimatum had not yet been reached was strengthened by the results of another institution, to which he would now call their attention.

During the last month he had visited the reformatory institution of Mettray, near Tours, in France, which had excited the attention of philanthropists by the magnitude and success of its operations. At Mettray, which was called by the founders an agricultural colony (although not exactly in the English sense of the term), there were 500 young offenders. It had been in action for nearly eight years, beginning with a small number, gradually increased. It had already sent out 400 youths, of whom the number reformed bore a very large proportion to the number unreformed. Like Stretton-upon-Dunsmore, it was an improving institution; and from the best judgment he could form, the present rate of reformation amounted to 85 per cent. It was difficult to speak with accuracy, but he believed

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believed that he had estimated the number rather under than over the just amount. This institution had its origin in 1839, and was due to the exertions of two French gentlemen eminent by rank, but far more eminent by their talents, their unwearied zeal, their large benevolence, and by the great sacrifices which they had made under the circumstances to which he was about to call attention.

One of these gentlemen (M. De Metz), he was proud to say, was a member of that profession to which he (the Recorder) belonged, and 20 years of honourable exertion had placed him on the bench. By travel in England and America he had acquired a knowledge of all that had been done for the reformation of criminals in those countries. To this knowledge he united a kind heart. He could not dismiss young offenders from the bar, and straightway forget their existence; his mind followed them to the gloomy abode where they were to remain for years—some for very many years, the terms of imprisonment in France being not unfrequently of great length. These thoughts so wrought upon his feelings, that they forced him to resign his office of judge, and devote himself to the formation of the invaluable institution of which he is at the head. In this great undertaking he was joined by the Marquis de Bretignolles de Courteilles, who, being the proprietor of land near Tours, made a gratuitous grant of it for the purposes of the institution.

These two friends formed a plan and laid it before their countrymen. It was eagerly adopted, and they raised large subscriptions (one gentleman contributing at various times sums amounting in the whole to 12,000*l.*); they also obtained aid from the general revenues of the State, and from those of many of the departments.

Being thus supplied with funds, their next step was to procure trustworthy assistants.

To that end they established a school of well-disposed youths, from respectable families, who showed capacity and a desire for the vocation of teachers. "And excellent indeed," continued the Recorder, "has been the selection and the training of these young persons. The founders have breathed their own earnest benevolence into the hearts of their coadjutors."

"Seldom have I felt so deeply interested as in the hours I spent with these amiable and most intelligent young men. Their devotion to their employment, their perfect knowledge of all the principles on which the institution is founded, and of the best means for carrying these principles into effect; their enthusiastic attachment to the generous men to whom France and the world owe this noble establishment; the kindness which they evinced in their demeanor towards their wards, and the grateful spirit in which their notice of these poor lads was received, left me no room to doubt that I was among realities, not surrounded by mere shows and forms; and that the execution was worthy of the plan, and of the Christian spirit which had given it birth. On the other hand, I could not but feel how much of the success attained depends on that rare combination of large views, skill in administration, and pure philanthropy, which give life and soul to the enterprise!"

One principle of the establishment was, that the wards committed to its care should be distributed in families, as they were called. The founders erected several houses, one for each family—simple structures without ornament—in the building of which a strict economy was observed.

The ground floor of each was used as a workshop. The head of each family (which consisted of forty wards), was a steady intelligent man, carefully chosen, who was called the Father, and who was usually conversant with some one of the trades or callings in which the wards are employed. Each family was divided into two sections, and each section chose one from its own body to preside over it, who was called an elder brother, and who became entitled to certain privileges and advantages which made the office an object of emulation. He (the Recorder) was informed by the superintendent that he was often surprised at the sound judgment displayed by the lads in their choice.

Having then made ready for the reception of the wards, the founders resolved to begin carefully—not by adopting a great number at once, but selecting from the various prisons of the country (which they had the permission of Government to do) the most towardly among the young prisoners, in order that the first experiment might be made under the most favourable circumstances.

They went to various prisons, and some affecting incidents occurred which he must not stay to relate.

The feeling excited in the minds of the youths by the substitution of kindness for severity produced very hopeful effects. They were taken to Mettray, and there subjected to a discipline which, while it had the warmest benevolence for its origin, was directed by the soundest judgment. The object had been to make them honest men capable of self-control and self-support, and not merely to mitigate their present lot. Still less was it any part of the system to elevate these unhappy beings to a higher rank than that to which they were born, because they had been offenders. By kindness the desire for improvement was implanted in the mind, and by a well devised system of government and occupation the ward became a most important agent in his own amendment. Such was the influence produced, that a very large amount of labour had been rendered with cheerfulness, and habits of almost unremitting industry had been thus created and confirmed. Mettray is no scene of weak indulgence. Its only luxury is kindness!—that true kindness, that only true kindness which aims at the permanent advantage of its object. In accordance with these principles, the food, though ample, is of the plainest description, and of a character similar to that of the peasantry of Touraine, in which province Mettray is situated.

Full provision is made for the care of the sick, the more so that, in the choice of the wards, a preference is given to those whose health has suffered from confinement. And it had in some cases occurred that youths were brought at once to the Infirmary, and had only

only left it to be laid in their graves. Funerals were simple, as it was right they should be; but these last offices, in which the whole body assisted, were so conducted as to make the survivors feel that they were not outcasts, but in death as in life the objects of affectionate care. The contrast between the treatment which the remains of their deceased companions received at Mettray and in prison had been found to teach a salutary lesson of self-respect.

In France, as probably the jury was aware, there was a religious order called "the Sisters of Charity:" excellent women who devoted themselves to the care and comfort of the distressed. The founders of Mettray availed themselves of the services of nine of these persons, who had made the Infirmary their sitting-room; and he found it a spacious and airy apartment overlooking the garden, everything being in the most perfect order; the convalescent were walking about or making lint for the surgeon, others were variously employed, and two who were evidently suffering pain were in bed; they were perfectly calm, tranquillized, no doubt, by the cheerful, yet quiet scene in which they bore part. The kitchen, too, was under the care of a certain number of the sisters, and the food, although that of the neighbouring poor, yet possessed an advantage in the skill with which it was dressed, and the cleanliness with which all the culinary operations were conducted.

By far the greater number of the wards were employed in agriculture; and, in fact, the whole of the hard labour of the institution was performed by boys, who must be under the age of sixteen when admitted—many of them not being, in truth, more than seven or eight. Others were engaged in handicraft works, such as in making clothes, in fashioning wooden shoes, or in making leather shoes for Sundays, in constructing agricultural implements, and in cabinet and carpentry work. It might be supposed that as there was so much labour, there would be little opportunity for attending the schools. That was certainly true, as the time allotted to instruction in school, much of which was devoted to religious teaching, was only some ten hours in the week. But a desire to learn had been created, and consequently the time was made the most of, and no very slight amount of elementary knowledge was acquired. Nor was their education pursued in school alone; it went on from morning to night. Their labours in the field or workshop were made instructive, partly by the perfect manner in which the youths were induced to perform their tasks, and partly because the employments in which they were engaged furnished occasions which were seized by the teachers for affording information to the young labourers; and thus they acquired a knowledge of higher value to them than any amount of mere science and literature—knowledge by the aid of which they might honestly maintain themselves in after life.

All would prize, as he, the Recorder, prized the admirable training which these poor youths received. "We are told," said he, "not simply to teach a child the way he should go, but to train him up in it, and his remaining in the true path is not promised merely to his knowledge, but to his habits, his principles, and his aspirations." The religious instruction is confided to a Roman-catholic clergyman. Protestants, he believed, there were none. In that part of France they were few, and those were in a social position, different from that in which criminals are usually found; but if there should be any Protestants in the institution, he felt sure that the most perfect principles of toleration would be applied to their case. The rewards were well chosen and judiciously applied; the punishments were not degrading; principally they consisted in short periods of confinement.

But even the admirable discipline and anxious watchfulness of Mettray sometimes failed of success. There are natures which pertinaciously resist all good impressions; others in which good impressions fail to produce the only valuable fruit, good conduct. In both cases it had been thought necessary, for the protection of the well disposed, to send the incorrigible ward back to prison.

"His expulsion," said the Recorder, "is an affecting solemnity. The *gens-d'armes*, who are the officers of justice, arrive—the whole community is assembled. The principal recounts the exertions which have been made for the amendment of the culprit, his repeated offences, the gradual extinguishment of all hopes of his reformation, and the dire necessity for abandoning him to his fate. He is then re-clothed in the prison dress, his hands are pinioned, and he is led away from Mettray, never to return."

But this, which is the capital punishment of the institution, is becoming rare. Improvements in the method of training, greater aptitude in the teachers, and, above all, a high moral tone pervading the community (the slow creation of years), have greatly lessened the number of expulsions, and will, I have no doubt, still further diminish it. The year 1847 produced only two.

But, although Mettray had been unable to reform these boys, they were generally found to behave better on their return to prison than those who had not enjoyed their advantages, and a few among them had been found to conduct themselves well since the term of their imprisonment had expired. "One most unhappy case," continued the Recorder, "presents so striking an instance of that inability to make our conduct answerable to our convictions (of which we all must be conscious in a greater or less degree), that I cannot forbear from narrating it. Perhaps it may show that even the most incorrigible have claims on our sympathy. A youth of a poor but ancient and noble house in Britiany came to Mettray. His father had through life sustained all the essential dignity of his rank by honest industry; cultivating with his own hands the last of his paternal acres. But the disgrace which the son had brought on his name had crushed his spirit. Even at Mettray the lad could not refrain from repeated acts of theft, and, when confined in a cell, he still found opportunities of stealing. He was expelled. After his removal to prison a letter of reproach was written to him by one of his family.

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"'Do you know,' said the writer, 'that your aged father sits with his head sunk on his breast, and that he has never raised it since the day of our dishonour?' The boy read the letter—he felt the blow—he pined away, and died heart-broken!"

The Recorder then adverted to the successful cases. "Success," he said, "was not lightly predicated. Each youth sent out was not only consigned to a master, by whom he was employed, but placed under the kindly supervision of some gentleman in the neighbourhood, as his patron. From these two sources information was from time to time obtained, by means of returns to searching inquiries. Nor was the connexion between the youth and his *Alma Mater* (as Mettray might justly be called) extinct. On the contrary, Mettray still remained his place of refuge, and whenever the accidents of life deprived him of employment, he could return and be received."

Four hundred had been sent out after an average residence of three years. Of many the time of probation had not been sufficient to enable the directors to speak with confidence. On the other hand, the institution was in course of improvement. Forming the best judgment he could on the subject, aided as he had been by the most unreserved communication on the part of the directors and teachers, he estimated the proportions, as he had before stated, at eighty-five per cent. of reformed against fifteen of unreformed; including in the latter class as well those returned to prison as those who failed after being placed out in employment. If the members of the grand jury should study the subject, it was probable that they would find claims made (no doubt in all sincerity) for even greater success on peculiar systems. But he doubted the accuracy of the estimates. The means of arriving at a just result depended on a full knowledge of what was the conduct maintained after the reformatory discipline had been withdrawn, and he knew that the want of complete and trustworthy information had been a most prolific source of error.

It remained to show at what cost this good is accomplished. The expense was at present enhanced by the large proportion which the officers (including under that description all but the 500 wards) bear to the whole community, they being 120 in number. As the institution extends the number of its wards this proportion will be lessened, although, to insure a continuance of the triumphant success which has been achieved, it must still be large. By a severe, although enlightened economy, the cost of food and clothing had also been reduced, and might be found capable of still further reduction. Dividing the cost of the whole establishment among the wards, and also throwing into the account the incidental expense just adverted to, of the visits of wards who, having left Mettray with credit, may return for a time from want of employment, the gross cost per head is 20*l.* per annum; but this sum is materially diminished by the produce of labour, which averages a value of 8*l.* for each, so that the net cost per annum is only 12*l.*; and taking each ward as remaining three years, the cost for the whole term is 36*l.* To this must be now added the cost of failures, which will be found by calculation to amount to about 6*l.* per head, when divided among the 85 per cent. who are reformed. Thus it will be seen that the cost of reformation at Mettray is about 42*l.*; considerably exceeding the cost at Stretton-on-Dunsmore, which appears by the last report not to be more than 31*l.*

Probably, however, the enlightened magistrates at the head of this latter institution would, if their means permitted them, gladly see that cost raised to the standard of Mettray, if at the same time they could raise the proportion of reformations in the same ratio; that is, from 65 to 85 per cent.; knowing, as they well know, that the 20 per cent. of difference must be furnished by those whose cases are of the most difficult treatment, cases which would probably only yield to the greater power which a more liberal staff of officers puts in motion at Mettray.

But whatever might be the comparison between Mettray and Dunsmore, he wished the grand jury not to forget that the borough was paying 20*l.* per annum for every one of its prisoners at Warwick; and that, notwithstanding the union of skill and kind feeling of which the Warwick gaol had the benefit in its management, it did so happen, from causes beyond present control, that its inmates were far more likely to advance further into crime than to be reformed. And if it should be said that even 12*l.* per annum is much to pay for the benefit of those who are in hostility to the laws of God and man, the answer, as far as pounds, shillings, and pence are concerned, is that offenders must be maintained either in prison or at large; and that, even if the expense of reformatory training were greater than that of training to deeper corruption, it would be true economy to prefer the former to the latter. But was it more expensive? In addition to what he had stated as to Warwick, he would refer to the experience of Liverpool.

A petition was presented to Parliament by the magistrates of Liverpool in the session of 1846, which, among other important matter, set forth the cases of 14 young offenders, fairly chosen, by which it appeared that these 14 persons had been frequently committed to prison, none less than 8, one 23 times.

The cost of each of these 14 youths, arising from trials, &c. was 63*l.* 8*s.* Not one of them was reformed. Ten of them were transported, the cost of which, and their support in penal colonies, must be added to the other sums. The cost of transportation in each case would be about 28*l.*; that of punishment and residence abroad at least 54*l.*, making an additional sum of 820*l.* which these youths cost the country. The grand total being 1,707*l.*, or, on the average, 121*l.* for each individual. So much for the old system in prison. Now, supposing these 14 persons had not been apprehended, but had been suffered to run an uninterrupted course of crime, it would be found, when facts came to be investigated, that if an offender had been costly under the hand of the law, he was far more costly when thrusting his own hands at will into the pockets of Her Majesty's subjects. It was hardly possible to conceive of a treatment so extravagant as to equal in its expense the spoliation committed

mitted by thieves at large. But it was painful to look at a subject of such grave importance merely in reference to the question of pecuniary amount. The jury would not hesitate to agree with him, that to save one human being from a life of guilt, was an achievement that could not be estimated in silver or gold. Appendix, No. 10.

There was only one other point to which he would call their attention. From a communication with which he had been favoured by M. De Metz, he had found that, since the Revolution, there had been a change in the institution at Mettray. The republican authorities had certainly not withdrawn the contributions of the Government, but its funds were aided before that event, not only by the manufacture of articles for their own consumption, but for sale elsewhere; and, except for the Revolution, he was informed that there would have been for the current year a net income from that source alone of 1,000*l.* But the new government had been of opinion that such a sale was an undue interference with the honest labourer. It would not be becoming in him, while sitting on the Bench, to comment on the proceedings of governments either abroad or at home; but this opinion was held by many eminent persons among ourselves, to whose authority he should be disposed to attach as much weight as ought to be given to any authority on a question of principle.

It was difficult, however, to understand how the public at large would be benefited by maintaining persons in idleness, the produce of whose labour might either suffice for their sustentation, or at all events diminish its burden. On whom does the support of prisoners fall but on the contributors to the taxes? Can it be advantageous to them to defray an expense of which the whole or a part can be saved? Again, if it be advantageous to the community to maintain any class at the public expense, what is to limit that class to prisoners? What is there in the fact of a man being a criminal and in confinement which makes it desirable that he should consume but not produce? If it is desirable to withdraw any who require to be fed from competition with others in acquiring the means of subsistence, why stop at prisoners?

Probably the error might arise from the inaccurate use of language. It is said that the labour of prisoners interferes with honest labour, as if it were labour itself, and not the gains of labour, which is the object of desire. Now to keep any in idleness, is to make it necessary that all who work should submit to some subtraction from their gains in the shape of taxation for the purpose of feeding the idlers. But is the honest labourer benefited by performing the task alone, and then dividing his earnings with another?

The Recorder concluded his address as follows:—"I have thought myself justified in occupying your time with the foregoing remarks, because I am persuaded that a deep conviction of the justice and efficacy of reformatory punishment on the public mind must be widely diffused before the Legislature would be warranted in making extensive changes in that direction.

"The proceedings of criminal courts would lose much, if not all, their value; nay, they might have an effect absolutely pernicious, if they did not satisfy the public sense of justice.

"Too many are still of opinion that kindness to offenders is cruelty to the innocent, by depriving punishment of its terrors. Doubtless it may be so abused; kindness to the vices of criminals would be cruelty to both parties. But that benevolence which guides all sound reformatory discipline is the kindness of the surgeon, who shrinks not from inflicting any amount of pain essential to the cure, but who does not willingly go beyond that necessity.

"Providence has ordained that the change from evil to good is not to be wrought but at the price of suffering often recurring and long endured. And if the selection were left to the criminals themselves, experience justifies the assertion, that, whatever might be the choice of the young offender, few punishments, indeed, would not be preferred by the veteran in crime to passing through a full course of reformatory discipline."

When the grand jury were dismissed, they handed to the clerk of the peace a paper, in which, after expressing their great interest in the subject of the charge, they added "their hope and confidence that the Recorder would continue to direct his attention to a subject so deeply affecting the moral interests and well-being of society."

Appendix, No. 11.

LETTER from Miss *Mary Carpenter* to the Chairman.

Appendix, No. 11.

Sir, Bristol, 1 June 1852.

The Honourable Member for Somersetshire asked me, before my last examination, if I could give an account of each of the seven young thieves whom I mentioned in my evidence as being now doing well with good masters. I replied in the affirmative; but no convenient opportunity having occurred during my examination of doing so, at the suggestion of Mr. Hill I have written a short statement of their histories, and forward it to you. I shall be much obliged if you can allow it to be inserted in the Appendix, as it illustrates many points of my evidence. After my examination, Mr. Adderley told me that he had desired to obtain from me an opinion as to the employment of pauper schools for delinquent children, but had not been able to elicit it by his questions. I have embodied what I conceive to

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to be his inquiry and what would have been my answer in another paper; and if you see no objection, I shall feel obliged by your having this appended to the other, as it contains the statement of a principle which I conceive to be very important. Should you think it inexpedient to have this inserted, will you be good enough to send it to Mr. Adderley.

Mr. Hill was much pleased with an article of my brother's on the American Educational Reports, contained in a newspaper which I have sent to Mr. Power, with the request that he will forward it to you in case you should like to look at it. He visited the United States in 1849–50, and paid much attention to that subject. I believe that he has the laws of New England relative to truant and delinquent children; should you think that they will be useful in your present inquiry, he will gladly make extracts from them. His address is, "Rev. Russell Lant Carpenter, Birkenhead."

Permit me, sir, to avail myself of this opportunity of thanking you and the other Members of the Committee for your kind and considerate manner of questioning me, which enabled me to express much that I could not otherwise have done. I am thankful to have given you satisfaction by my answers, as I have the subject much at heart, and I rejoice that it is being so seriously considered by able legislators.

Believe me, &c.
(signed) *Mary Carpenter.*

NARRATIVE of Seven Boys who have been Thieves, and who during the last Fifteen Months have been settled in an Honest Way of Life.

Thomas H., aged 17, *George H.*, 14, *Charles H.*, 13, are three brothers, who have attended the St. James's Back School from its commencement, in August 1846, but quite irregularly, and often absenting themselves for many months together. The father, who died a few years ago, supported his family by occasional work; I never heard any evil of him. The mother is a notoriously bad character, and was seen drinking in a public-house on the day of her husband's funeral; two sisters are well-known girls of the town. There is considerable force of character in these boys, and they require great personal kindness, as well as firmness, in any who would influence them; they have been left, as their younger brother is now, to live as they liked.

1. *Thomas* had long been known to be addicted to pilfering. When, about three years ago, he was detected in stealing from a shop (his companion was imprisoned—he escaped), the master of the school, Mr. Andrews, and I, tried to influence him. He went on well for about a year, when he was taken up for stealing a leg of mutton; after two days' detention he was discharged, his accuser not appearing. A place was obtained for him in a respectable bookseller's shop, where he remained about eight months, doing well and showing no dishonesty. Perceiving the injurious effect of his home influences, I placed him in a respectable lodging. He afterwards lost his place through idleness, and seemed likely to fall again into his bad habits. I got him work with a builder, where he gave great satisfaction, and earned 7*s.* per week. Last Christmas, at his earnest desire, I apprenticed him for three years to a carpenter, who gives me a good report of his work, and trusts him with large sums of money. He was formerly a ragged, shoeless boy, and is now noticed by strangers for his respectable dress and demeanor.

2. *George* continued wild till the spring of 1850, when he was imprisoned for a month; he seemed ashamed when first released, but did not change his mode of life. He was tried by the recorder in September 1850, and sentenced to four months and a whipping. On his discharge, in January 1851, perceiving that his reformation was hopeless if he remained at home, I lodged him with his brother, kept him at school, and in March 1851 bound him apprentice to a shoemaker, who gives me good reports of his honesty and attention to his work, and is much attached to him.

3. *Charles* was in prison during 1850, but continued thoroughly wild and unimpressible by school influence until October 1851, when another shoemaker, observing the advantage George's master derived from him, requested me to bind Charles to him. There was a sudden and striking change in the lad as soon as he was apprenticed; he seemed to feel raised in the scale of society, and his ragged condition for the first time seemed an annoyance to him. His master finds him quite honest, and very useful.

4. *John D.*, aged 15. His mother was never married; she is an indolent woman, exercising little control over him, and living in one of the worst districts. He is mean, self-indulgent, and little susceptible of moral influence; he has been an occasional attendant at the school from its commencement, but has frequently been turned out, his presence even proving injurious to the scholars. He has always been known to be addicted to thieving and other immoralities. In May 1851 he was for the first time convicted of stealing from the person, in company with the bold and wicked brother of Jemmy S. (*Vide* Evidence, No.) He was ordered for committal, but at the earnest intercession of the lady he had robbed, was dismissed. Within a month he was apprehended in the school, the only case of the kind that has ever occurred, and had one month in Bridewell. At the end of July he was taken up with Jemmy S., whom he had led with him. On his release, being unsuccessful in obtaining admission to Red Hill, the shoemaker who had taught him in the school, and had found

found him clever at work, agreed to take him as an apprentice. Though he had probably never before earned a shilling by honest labour, he is steady at his trade; his master gives a good report of him, and does not find him dishonest.

5. *George H—k*, aged 13, has been an occasional attendant at the school from the commencement. The parents are low, drunken, and violent, living in the centre of the very worst district. George has often suffered greatly from want of food and clothing, as well as from their severe usage. He is remarkably clever and energetic, with a strong will, but had a very bad character, even in that neighbourhood, and was known to be addicted to thieving, though he escaped conviction. He is the only one of the seven who has not been brought before a magistrate. Seeing the hopelessness of his condition, in May 1851 I took him to lodge with the others, and kept him at school. He became a paid monitor, and with great vigilance and care on the part of the master and myself, he so continued until two months ago, when a respectable printer took him into his employment. He does very well as an apprentice, and neither here nor in the school did he show any dishonesty.

6. *Peter R.*, aged 15, has been for the last few years an attendant at the evening school. His parents are poor labouring people, Irish, but for above 15 years residents in Bristol; they appear unable to control their children. An older son has been twice in prison for violent treatment of his parents, and has now enlisted. A younger one is quite wild in the streets, and cannot be induced by any influence to attend school regularly. Peter was employed for some months during 1849 in a respectable bookseller's shop, and never showed any dishonest tendency, though exposed to frequent temptation. He was discharged, from being unequal to the work, and, failing to get a situation, fell among bad companions; he was imprisoned for four months in separate confinement, and was discharged, with three other scholars, in January 1851. The chaplain reports that in prison he was "ill-behaved and refractory, slow to learn, inattentive and idle;" yet he was the only one of the four who remained under school influence. He got occasional work during 1851, attending the school when unemployed, and showing great anxiety to learn. Since Christmas he has been a paid monitor, and has had much trust reposed in him. He is now apprenticed to a respectable cabinet-maker, who treats him with perfect confidence, and is much pleased with him.

7. *George T.*, aged 14, the orphan alluded to in Evidence, No. . I know nothing of his parents; his mother died about three years ago, and his father about six months since. he has had a good ordinary education in a British and Sunday school, but has a character very prone to evil if under bad influence, and liable to be injurious to others. I offered the magistrate who committed him to take him on his discharge, with an allowance of 1*s.* 6*d.* per week from the parish. He was given into my care, but without much encouragement, for I was told that he knew every young thief in Bridewell, and that all the officials spoke very badly of him. I endeavoured to make him feel that his future prospects in life, and my power to help him, depended on his own good conduct. I placed him at first in the school, and he has now been working for two months with Thomas H.'s master, who is much pleased with his work, trusts him with money, and is ready to take him as an in-door apprentice.

In all these cases the boys cannot be regarded as thoroughly reformed in various points of character; to effect this in any satisfactory degree will require long watchfulness and care on the part of those who are trying to influence them; but they are all giving satisfaction to their employers by their clever and diligent service, and their honesty.

The employers have in every instance been fully informed of the boy's previous history; but in no instance has there been manifested any reluctance to take him on that account, when there has been sufficient assurance of his desire to reform, and of the continuance of moral influence over him. The parents have in every instance shown much gratitude for the efforts made to reclaim their children.

The whole expense of maintaining and clothing four boys during these 15 months, including rent and apprenticing (without premium), has not exceeded 20 *l.*, the labour of the boys having been made available towards their support. The amount of time and voluntary effort bestowed on them cannot be calculated.

From my experience in these and numerous other cases, I derive the following results:—

1. A well conducted free day school, adapted to the condition of the children of the "perishing and dangerous classes" will have a highly beneficial influence on many who would otherwise fall into crime; but it is, alone, an utterly inadequate means of reforming children who are living without control, and under bad influences.

2. There is no hope of reclaiming them by imprisonment, even when conducted on the most highly approved system; they go forth from it undeterred, into the same bad influences, with less power to resist them, and with a loss of the small degree of self-respect which they may formerly have had.

3. Strong moral and religious influence, with personal kindness, a healthy development of their powers, and a control which inspires willing submission, are the only certain means of reclaiming them.

4. These means can be most effectually applied by entirely removing the child from his evil associations; and such removal is not regarded either by the child himself, his parents, or his companions, as a "premium on vice," a reward for evil doing.

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5. It is the only safe course for society, both in regard to its own interests and those of the child, to adopt these means instead of the costly and ineffectual ones at present employed; and they are in perfect accordance with the spirit of the English law.

June 1, 1852. *Mary Carpenter.*

In reply to the question which has been proposed "Whether the pauper union schools may not be made available for the reformation of juvenile offenders," I would state my decided conviction that under their present constitution they ought not to be so employed, nor can they legally be thus used. For, first, they are not in general at all adapted to have the reformatory action required; the object contemplated by them is to supply necessary sustenance, with a certain amount of education, and the healthy development of the child's nature is almost invariably neglected. Hence, he is not prepared to be an independent and self-acting being, and the most frequent tendency of workhouse training is to depress the child's mind into a pauper spirit, or to excite in him an irrepressible disgust, which leads him to run away, and thus exposes him to be branded early with imprisonment, as he cannot escape without committing the legal offence of "stealing the clothes." Secondly, union schools cannot be so employed without a radical alteration in the whole poor law system, which contemplates solely relief for the destitute. Poverty does not imply guilt, nor in our country can any one be treated as guilty until he is proved to be so. The poorhouse is, in theory, a refuge for the physically destitute, the reformatory school for the morally and spiritually destitute; the former the victims of misfortune and circumstances, often unavoidable, the latter necessarily of vice; this is the aspect it bears to the public. Hence there is no power of detention in the union school, which is an essential element in a reformatory school, taking the place of the prison. In practice, it will generally be found that there is very little difference between the physically destitute child who is thrown on the parish, and the morally destitute one who is placed in the reformatory school, as both are in their actual condition from want of good parental care; hence both should be equally treated as children of the State, and, as such, so trained as to make them good citizens. But our present concern being for the latter, we ought not to expose them, even if we could, to a mode of treatment which must be injurious to them, and fail in the proposed object, viz., their reformation.

Mary Carpenter.

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LETTER addressed to the Chairman of the Committee by the Rev. *John Clay*, B. D., Chaplain of the House of Correction at Preston.

I beg to present a *resumé* of my evidence given before the Committee on Criminal and Destitute Juveniles, and to add to it a few statements and illustrations which appear to me to be connected with the momentous question in which the Committee is engaged.

What I now respectfully beg to submit, applies chiefly, though not exclusively, to the state of juvenile crime and criminals in North Lancashire, which in many respects varies considerably from that of South Lancashire, and also from that of other counties in which there are such town populations as those of Leeds, Birmingham, Gloucester, Bath, Bristol, &c. How much juvenile crime depends, as to its extent and character, on the circumstances of the locality in which it appears, is evinced, for instance, in the contrast between the idle city of Bath and the busy northern division of Lancashire. In 1849, from the former place, and out of a population of about 40,000, 54 boys were committed to prison, 28 for trial and 26 under the Juvenile Offenders' Act; from the entire of North Lancashire, with a population of about 450,000, only 59 boys were committed, viz. 41 for trial, and 18 under the Juvenile Offenders' Act. Again, comparing the whole summary convictions of juveniles in the borough of Liverpool (population about 370,000) with the similar convictions from North Lancashire, it appears that the latter amount to 137 (120 boys and 17 girls), the former to 1,057 (822 boys and 235 girls).*

Having, in my evidence, stated my belief that in the large towns of North Lancashire, Preston, Blackburn, Burnley, &c., juvenile criminality, as a system carried on by trained gangs, does not exist, I have now the satisfaction of confirming that statement on the authority of returns procured at my request by Captain Woodford, chief constable of the county, from the gentlemen superintending those police divisions of North Lancashire in which such gangs might be looked for. I have also further confirmation of the same fact in a letter from the police superintendent of the borough of Preston. For the satisfaction of the Committee, I beg to transmit the original returns, &c., relating to this point. It is true we have many ill-disposed lads, easily enticed from their work to indulge thievish propensities; but nevertheless all the offences committed by boys belonging to our division of the county, and brought under my notice, partake more or less of an incidental character, and originate in causes not appertaining so much to criminal life in itself, as to the general want of moral and Christian influence among too large a portion of our working population.

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* *Vide* Fifteenth Report (the last) of the Inspector of Prisons for the Home District.

That want is painfully visible in many of their homes, where ignorance, neglect, harshness, or intemperance, more or less combined, in the parent, either exposes the child to temptation, or drives him into crime. I will only add to what I have already been permitted to give in evidence on this subject, that, after looking carefully over the numerous narratives of prisoners who began their criminal courses in boyhood, I find nearly 71 per cent. of them had fathers who, with good employ and good wages, made their homes miserable by their excesses, and in most cases brought themselves and their families to ruin. How many children may become exposed to the physical and moral evils springing from the cause now mentioned may be inferred from the fact that, in the last year, 399 men, most of whom had wives and children, were summarily committed to the Preston House of Correction for being "drunk and disorderly;" or, to present another view of the amount of sorrow and crime likely to arise from demoralized homes, my prison "character books" show that, during the last five years, the children of all ages, whose parents had been committed to this prison, amounted to more, on an average, than 1,500 annually.

In hundreds of instances I have had occasion to observe the blind reliance which drunken and dissolute fathers have upon the advantages which they suppose their children to be deriving from "school." When I have represented to such men the bad examples they were showing to their children, and their sure consequences, they have replied, "Oh! but I take care of that; for my children go to the Sunday school regular." These men's confidence in the benefits of the Sunday school should not, however, create much surprise, for many of their superiors have the same confidence; both parties commit the mistake of thinking that the mere mechanical ability to read the words of the Holy Scriptures, acquired as it is by an irksome and harsh process, constitutes a sufficient moral and religious training for a poor child. Our Sunday schools in Preston (and the case, no doubt, is the same elsewhere) are productive of much greater benefit to girls than to boys; because upon the girls there is brought to bear a greater amount of tact, judgment, and above all, of kindly personal influence and sympathy. One important consequence arising from this influence on the girls is, that a large portion of them remain as scholars until they reach womanhood, cultivating with their teachers a happy intercourse which meliorates their after life, and prepares them to fulfil their duties as wives and mothers. Very many of the female scholars acquire an attachment to their schools, as well as a degree of instruction, which enables them to become zealous and valuable teachers. I have been favoured with returns from several of the Church Sunday schools in Preston, from which it appears that the attendance of girls is in the proportion of 51 per cent. above that of boys; and that, in respect to the attendance of scholars above 15 years of age, the number of girls exceeds that of boys by nearly 300 per cent. Or, in another point of view, that, at the critical age when the disposition and principles are taking their permanent character, boys (above 15) form only 13 per cent. of the entire number in their Sunday schools; while girls under the same circumstances are in a proportion exceeding 35 per cent.

In our national schools, also, the girls possess greater advantages than the boys, inasmuch as a number of ladies attend the schools for the former, while those for the latter possess no such corresponding advantage. I cannot help viewing in the relation of cause and effect this greater efficacy of girls' schools with the remarkable absence of girls from our prison. In the year ending with the first of the present month (June), 21 boys under 17 years of age were committed for trial, and only three girls, all the three being Irish. When it is remembered that this small number of girls is all that North Lancashire has sent to the sessions during a whole year, the fact will not be thought void of significance. In conversing with boy criminals, and youths of 17 to 20, they often speak, with tears, of the good advice and example they have had from their sisters, who "go regularly to the Sunday School," but who, in not a few instances, have been compelled to withdraw themselves from homes rendered insupportable by the drunkenness and brutality of their fathers.

Having given some general evidence as to the early age at which children are taught the way to the pawnbrokers by their parents, I would only, by way of necessary illustration, refer to instances given in my reports for 1842 and 1844. In the former are mentioned the following cases: a child of seven years old committed for "illegally pawning;" a few days previously his mother had sent him to pledge part of his own clothing, obtained just before from charity. Two boys of 10 and 12 pledge a watch, which they had stolen from a canal boat. Another child of eight years is committed for pledging books which he had stolen from his stepfather. The most striking illustration of the familiarity of children with the pawn-shop, in 1844, showed how older children may avail themselves of the opportunities given by the visits of younger ones to such places for the purpose of robbing them.

A child of 11 watched another child of nine into one of these places, and upon her coming out with the money received for the articles pledged (11 *s.*), snatched it from her, and in a short time had spent nearly the whole. The young culprit was committed summarily for 14 days, during which time she was kept apart from the other prisoners, and efforts were made to bring her to a sense of her guilt, but ineffectually. In three weeks after her discharge she was again committed, for trial, for an offence of exactly the same kind, but perpetrated with all the cunning of a practised thief.

In few things do the ignorance and want of principle in parents prove more fatal to their children than in permitting, and even encouraging, a familiarity with immoral books, and more immoral dramatic entertainments. It is as astonishing as it is grievous to learn what a common thing it is for parents to read or relate to their children the exciting histories of Turpin and Sheppard, and to hold them up as benefactors of the poor! Only a few days ago, a boy of 17, committed on a charge of felony, said to me, "Dick Turpin broke into rich

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rich folks' houses, and divided what he got among the poor. He was catched and hanged at last, but it was a wrong thing to hang him after he had done so much good to the poor." My report for 1841 contains the short histories of three boys in good employment, and of respectable parentage, who had been excited to the commission of seven or eight burglaries solely by the books and plays which exalt robbers and cut-throats into heroes. I would also beg to refer to a case tried at the Central Criminal Court in February 1846, in which H. J. Killerby, aged 17, was indicted for "feloniously attempting to administer (in a letter) a quantity of deadly poison called oxalic acid to E. C., with intent to murder her." The prisoner was convicted on his own confession, made in a letter to his brother, which contained the following passage:—

"The fact was I did for a long while read a great many of Lloyd's works, in which were some most wonderful characters; and I thought at the time that I would do as represented in the books—appear a most mysterious character, and then, after that, write these letters," &c. &c.

While the mischievous and lying biographers of Turpin and Sheppard, and Claude Duval, &c. &c., are filling ignorant and neglected boys with emulous admiration of highwaymen and burglars, other writers are preparing for the youth and manhood of the same boys exciting fictions of another and, if possible, a yet viler character, manifestly designed to effect, first, the reader's mental and moral corruption; and then, and chiefly, to spread among those readers and their acquaintance deep hatred and contempt for the higher ranks of the community. Having alluded to this subject in my evidence, I only touch it now in order to support my evidence, by giving a specimen of the language used, by way of application to the monstrous and disgusting inventions presented to English boys and girls as notorious truths:—"Oh, these scenes of patrician depravity and aristocratic profligacy! Wherefore do we continue to pen them? Because they are faithful reflections, in the mirror of our narrative, of the vices, immoralities, and crimes of that arrogant, heartless, and unprincipled class!"

I have not spoken in my evidence of the incentives to juvenile crime existing in the low lodging-houses scattered throughout the country; and now I only beg to be the medium of testimony confirmatory of that which, no doubt, other witnesses will give more directly, as to the unspeakable and dangerous corruption festering in those places. The following are extracts from papers drawn up by a convict whose experience and practice in criminal life, combined with an unusual share of intelligence and observation, render him a useful witness on any matter relating to criminal life, in which, as in this, he is willing to speak without reserve: "From infancy up to 13 or 14 years of age and older, they lie together promiscuously—father, mother, or oftener stepfather or stepmother—with lads and girls of all ages, from the infant to the adolescent. This is done to save lodging-money; for a bed is only 6*d.*, no matter how many sleep in it, except in some houses where a penny a head is charged for children who sleep with their parents, and are above the age of 10. . . . . It may easily be guessed that such places are the very hotbeds of disease, as they are of vice and crime of every shape and complexion. . . . . Should any unfortunate being be taken ill, he or she is turned out of the house, or sent to the workhouse; I do not believe the proprietors would keep their own children in the house, if it could by any means be avoided. . . . . Any number of beds that can be forced into an apartment are tolerated; and I have seen them covering the floor betwixt others that are on bedsteads, so as to render it almost impossible to move without treading on a man, woman, or child. Age, sex, relationship, all crowd together, and the conversation is brutal, obscene, and unrestricted; and various practices are carried on irrespective of time, place, or witnesses; cursing, fighting, smoking, &c. &c., and men and women dress and undress without the slightest attempt at privacy. . . . . I have seen 'schools' (boys and girls in training as thieves) collected round a reader, especially on a Sunday, listening to 'The Murder at the Old Smithy,' or 'Life on the Road,' the reader now and then pausing to comment upon some striking passage. . . . . I have heard also many songs of a similar character respecting burglars, convicts, highwaymen, &c. These songs acting on the minds of ignorant, vicious, and excited lads, cause them to become more reckless and hardened. . . . . These children are made use of by their parents until ill-usage, or other causes, drives or draws them from under their clutches. The youngsters are under no apprehension of want; they have been taught to extract the means of living, as it were, out of a stone. They do not suffer the fear experienced by lads who run away from a settled home; their only alarm is that they should be caught and taken back to brutality and slavery. These children are at home in the first lodging-house they enter. Slang is their mother tongue, and oaths, blasphemies, indecencies, &c. their matins and vespers. . . . . In large towns the lads soon become expert thieves; pocket handkerchiefs, shop drawers, &c. they first practise at; and should one of them prove more intelligent and acute than his congeners, he is secured by those who are a step or two higher up the ladder, as 'the making of a good tool.' After serving in prison a few odd times, he becomes an adept, joins a 'first-rate mob' as a 'finisher,' and in the course of a very short time he is finished at the hulks, or some similar establishment."

While the lodging-houses are thus rearing a full supply of young criminals, the prisons which allow the association of their inmates are doing the same work, if on a smaller scale, yet no less effectually. The circumstances which have brought the occupants of a "trial yard" together, make conversation about past deeds, and future schemes, of plunder inevitable; and the inexperience, openness to impressions, and proneness to imitate of the young, render them peculiarly susceptible of injury from such conversation. The boys in a "trial yard," or in any other where association is permitted, are soon taught to regard as a her

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the man who can tell of the boldest and most successful robbery. Twenty years' sight of this monstrous evil, and 20 years' contest against it, may perhaps entitle me to speak of it as one of the very worst yet most easily remediable causes of juvenile crime. Having already been permitted to adduce examples bearing upon this point, I only ask permission now to offer one more witness (out of hundreds whose similar testimony I have in writing), himself a victim of this vicious prison laxity, and who first entered the Preston House of Correction long before separation was enforced as a measure necessary to the prisoner's security from any, or further, contamination. This witness, a convict under sentence of transportation, testifies, "I was taken for stealing some apples out of a garden. Was sent to Preston for one month. It did not take much effect upon me. At this house of correction they had more liberty than they have now; so that they could teach one another to do things that some had never done before. They would tell one another what they had done, and how they had done it; so that when some had come out of prison they would try these things on, which they had heard of while they was in prison. When I had got my liberty I soon was as bad as before. Two of my companions and me were taken for stealing 4*s.* 6*d.* out of a house. Brought to prison to stand our trial. Waiting for trial, one of my comrades lost his life by a kick from another prisoner. The other and me got a month each. While in the trial yard the men used to question little boys if they had ever 'drawn any damper,' ever 'snowdropt any?' 'Drawing a damper' was taking a drawer out of a shop, with all the money in. 'Snowdropping' was taking clothes out of the field that was put out to dry, taking them to the pawnshop and pawning them. I have known the men sit in the yard and tell the boys how to do these things for hour after hour, and we took more notice than we should have done if it had been something good."

Inquiry into the proper treatment of juvenile criminals involves an anxious and difficult question; viz., how far the very young, under 13 or 14 for example, should be considered liable to punishment for acts which, it might be supposed, they did not know to be, in themselves, wrong. I am of opinion that there does exist, in children of the class brought to this (the Preston) gaol, more or less knowledge of what is good and what is evil, a yet clearer knowledge of what is deserving of punishment, and of what is liable to punishment. The following extract from my report for 1846, I respectfully submit to the Committee as bearing upon this question:—

"Two boys, brothers, T. and D. R., aged respectively 12 and 8, were committed for robbing the 'till' of a shop. The grand jury ignored the bill against the elder brother; the younger was convicted. The elder boy had been in almost all the prisons of the county. He stated that his mother was dead; that his father tramped about the country as a hawker; that his eldest brother had not been heard of for some years, and that his second brother had been recently sentenced to transportation at Kirkdale. Under these circumstances, it appeared to the court that any term of imprisonment for the convicted child could only be followed, on his liberation, by a recurrence to the practices to which his elder brother had trained him; and it was therefore determined to place him at the disposal of Government, by passing upon him a sentence of transportation. The following is copied from what was written, on three different occasions, by the elder brother, on the slate, which formed part of the furniture of his cell:—

"'Thomas R. and Dominick R. sent to prison for horse stealing, and robbing a till, at Preston. They are put back for trial. The little boy has been three times in prison before time. If you let me and the little boy go, we will not starve; we are too wide awake boys, us both.'

"'Thomas R., his history would be worth hearing. In the first place he is a great thief. He has robbed many a good old house and shop drawer, and now I repent it. Sometimes he has got 40*s.* at one lift, and never got found out. If you heard my history throughout, you would never want to hear another, it is so bad.'

"'Thomas R. Tom is always the master, sending the little boy out alone, you may be sure. He is up to his business, since Tom has learned him; he is just the right size to do that business. Then Tom gets a few pounds some nights, when Dominick comes home. Then Tom gives him 6*d.* in copper for himself to spend. The little boy does the robbery while Tom watches to see whether anybody is coming. Tom receives the money, and then buys a watch, and is proud like a gent, walking up and down the streets, looking at my watch for pride, living on the best of meat, but now is poorly off.'"

At this date (18 June) there are in the Preston House of Correction 12 boys (and only 12) under 15 years of age, committed for various offences. I have endeavoured, by friendly conversation with them, to ascertain how far they have any sense of right and wrong, and of the punishment due to guilt; and it will not, I trust, be useless to lay before the Committee the result of my examination in each case.

No. 1. Age 10.—Convicted of receiving money stolen by his elder brother. In reply to my questions he says, "It is a very bad thing to steal; it is a wicked thing. When I first stole about two years ago, I did not know I was doing wrong. Bad lads will go to hell, and be terribly punished; good lads will go to heaven, a happy place. I did not think of this when I did my crime."

No. 2. Age 12.—Convicted of larceny from his master. Says, "It is a very wrong thing to steal. When I first stole I knew the police would take me up if they catched me; but I did not know then that it was wicked. Bad lads will have to go to hell; punishment will happen to them there. I have known this for more than two years. Good lads will go to heaven,

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heaven, a place of worship, a place of happiness. When I did this crime I thought I should not be found out, and did not think about God."

No. 3. Age 14.—Under Juvenile Act. "It is wrong and wicked to steal. I have known that five or six years. Stealing is more wicked than telling lies. I learned at school six or seven years ago that wicked lads would go to hell when they died. I believed it, but I never thought about it when I was stealing; I thought about it when I got into prison. I could like to go to Heaven, and I will try, by being a good lad."

No. 4. Age 14.—Offence, "cutting, &c." "It is very wicked to steal and tell lies. Ever since I was seven years old I learned that bad lads will be cursed in hell. Good lads will go to heaven with the blessed. I did not think of these things when I did this act, but I did as soon as ever I had done it."

No. 5. Age 13.—Larceny in a dwelling. "Nobody will go to heaven that steals; they will go to hell. I only knew this since I came in here six months ago. I am sure I would not have done this thing but for a man giving me some drink."

No. 6. Age 14.—Larceny from a shop. "Bad lads get into prison, and then get transported, and they may get hung for murder. Everlasting punishment will happen to bad lads. I have only known this about eight months. I thought of it as soon as I got into the lock up."

No. 7 (Irish). Age 13.—Juvenile Act. "It is wicked to steal. Wicked lads will go to a bad place. My father and mother told me ever since I can remember, what would happen to wicked people. Heaven is a holy place where all the holy angels are."

No. 8 (Irish). Age 13.—Begging. "It would not be lucky to steal; it would not be right; it would be wicked. The souls of people that steal do be damned. I've heard 'em say it would be lucky to go to heaven. I would not steal, because it would not be right."

No. 9 (Irish). Age 8.—Begging. "It is a very wicked thing to steal. I would not go to heaven if I stole, but I would go into hell. My father and mother told me so, and I would not steal."

No. 10. Age 13.—Vagrant Act. "Stealing, and swearing, and lying, and gaming, is bad behaviour, and wicked. They will have to go to a bad place if they tell lies and curse; but they will go to heaven if they pray, and such like as that."

No. 11. Age 13.—Vagrant Act. "It is wicked to steal and tell lies. My mother told me many a time that wicked people will have to be burnt in hell, and I believe her. Good people go to heaven."

No. 12. Age 11.—Juvenile Act. "God does not like them that steal and tell lies. I learned this of my father. Good lads will go to heaven. I knew I had done wrong when I did this thing, and I felt uneasy, and thought I would give over stealing."

The boys to whom the above particulars relate are certainly of a better class than the unfortunate creatures born and reared amidst little else than sin and degradation in the "back slums" of large towns, or among the "travellers" and other rogues in lodging-houses. They are such, however, as chiefly furnish subjects for committal to prison in North Lancashire. I am of opinion that, as a body, they ought not to be regarded as irresponsible for their acts—as acting "*sans discernement*." On the contrary, I believe them to possess a much truer sense of what is right and wrong than many adults who have come under my observation, and who have been punished for their crimes, without regard to their ignorance, by transportation for life. I believe them to possess a tenderness and susceptibility of conscience which may lie hidden under childish waywardness, which may entirely fade by neglect, and is sure to be worn, if not altogether obliterated, by evil association and example in after life. The callous, ignorant, and brutalised men who enter our North Lancashire prisons are, in numberless cases, men in whom the spirit which once existed has been gradually quenched—men who have brought themselves, by the continued indulgence of their mere animal propensities, to a moral condition so low that they have no longer the true perception of right and wrong which they had when children. I now only assert a proposition which, I think, will be admitted by every one who can recall the good impressions and earnest belief of childhood, and contrast them with the results gradually produced by a hardening commerce with the world. I conceive, therefore, it would be a mistake to treat all young criminals under 15, or even under 12, as irresponsible. Yet I would not be understood to recommend punishment as a means of deterring children from a repetition of bad conduct, for I am satisfied that a discipline merely intended to deter is very seldom successful. I advocate correction, in its truest and highest sense—the repression of every evil, the cultivation of every good tendency—and I think that such correction may be effected in a prison; but it cannot be effected by any system of routine. The young offender must be treated according to his antecedents and peculiar disposition. There may be, for example, a consciousness of guilt lying, as it were, on a boy's heart which has been hardened by ill usage and constant familiarity with wicked examples; and to apply, in a house of correction, what the boy may confound with ill usage will only increase his obduracy. His heart must therefore be softened, so that the consciousness of sin may enter into it, and the sin itself be repented of. Again, many a young criminal mingles his perfect or imperfect sense of culpability with the impression that he is regarded as an enemy and a nuisance by those who are better off; and so arises a spirit of hostility to society, which he thinks justifiable by society's conduct to him, and which soon leads him to disregard such compunctions and misgivings as at first disturbed him. When correction has removed these false and dangerous notions, and the boy is convinced that, though required to submit to restraint and discipline, he is an object of kind interest and care; when he sees that he is not looked upon merely as a troublesome and worthless outcast, but that he may, if he will, become

become useful and respected, the work of regeneration is, under Providence, beginning, and, by God's blessing, may be carried to a happy issue. Appendix, No. 12.

In regard to the sense of responsibility felt by children, I beg to suggest a circumstance closely connected with the question as regards a large portion of the criminal children committed to the prisons both of North and South Lancashire; viz. children belonging to the Roman-catholic Church. That church administers the rite of confirmation at a much earlier period than the Church of England. Ten or eleven is the age at which in this country it is, I believe, customary for children to receive it; but in many cases children of only seven or eight receive it. Now, previous to confirmation, the child is instructed in its moral duties, and is also required to attend confession. From my limited means of observation, I am led to conclude that Roman-catholic children have the elements of morality taught them at an earlier age than other children have; and I think it may be inferred, even from the examples 7, 8, and 9, above, that Roman-catholic parents who are under the influence of their religion, take some pains to prepare their children's minds for the subsequent instruction of the priest.

With regard to remedial measures for juvenile delinquency, I am fully sensible that throughout the kingdom generally correctional and reformatory schools, to be made available, in some cases, after imprisonment under suitable discipline, and in other cases, instead of imprisonment, are imperatively demanded. Red Hill, on the one hand, and Aberdeen on the other, show how much can be effected in this respect by such zeal, perseverance, and judgment as are devoted to the welfare of those admirable institutions; and as one of those permitted to take a part in the late Birmingham Conference, which was called into existence and action by Miss Carpenter's energetic benevolence, I trust that I may at no distant time witness the substantial accomplishment of her views. Had I the choice of remedies which the experience of other places has, thus far, shown to be best suited to the idle and neglected children of our large towns in North Lancashire, I would ask for the immediate establishment of industrial schools similar to those which have conferred so much credit and benefit upon Aberdeen. I do not think that Preston, which has a population of the same amount as Aberdeen (70,000), would supply so many children for such schools as Aberdeen does; but I believe that all who might enter them and duly profit by their training, would be required for the manufacturing wants of the district, and so become industrious and useful members of society.

In the meantime, however, I am persuaded that much of a remedial character might be brought into action in existing institutions. Among such a class of juvenile offenders as those found in North Lancashire, a House of Correction, if really deserving of the name, may operate with great effect. I would beg to show what has been effected by comparing, in regard to one important particular, the juvenile criminality brought to the Preston sessions in 1842, when contamination in the prison was an inevitable certainty, with that of 1852, when contamination had become impossible. The boy offenders (under 17) committed in the year ending June 1, 1842, were 72; those of the year ending 1st of last June were only 21. But the point for special notice is the decrease in the number of young thieves acting in concert. In 1842, no less than 61 boys had been associated in gangs of four, three or two; in 1852 only ten boys were so associated, and in no case did more than two act together. I may be allowed to conclude, therefore, that, in abolishing prison association, a prolific cause of juvenile crime is destroyed almost at its source, and to suggest, also, that wherever practicable, the same abolition should be effected; or that, at least, if children are committed to prison, it shall be illegal to place them in any association whatever with other prisoners. In this place I beg to add that since I had the honour to be examined by the Committee, I have carefully looked over the returns relating to the conduct of discharged prisoners, furnished to me by the superintendents of the county police; and I am enabled to assure the Committee, on the authority of those returns, that more than 75 per cent. of the juvenile criminals inquired after were reported of favourably.

Looking at the class of juvenile criminals with whose condition I am best acquainted, I have thought it my duty to direct my observations chiefly to the children of the industrious classes, properly so called. Other witnesses will speak with larger experience and higher authority of the means required for reclaiming the children who belong essentially to the destitute and dangerous classes. Whatever specific measures may be thought desirable for rescuing the offspring of neglect and vice from their perishing state, I have a conviction on my mind that there must also be a general stirring into intelligent activity of all our educational and correctional institutions. The movement for the benefit of young criminals, and of the neglected children in danger of becoming criminals, must be a wide and simultaneous one; to be felt in our prisons, in our National and Sunday schools, in our labourers' homes, and in their hours of relaxation and amusement; to be felt in the repression of every evil and debasing influence, and in the encouragement of every good one.

It is, I am sure, quite unnecessary for me to suggest how remarkably, I humbly think providentially, the inquiry conducted by your Honourable Committee synchronizes with the events which have added such almost universal interest to the question of emigration. It would seem as if the country were about to take measures for qualifying thousands who are disgraceful and dangerous at home for the life of creditable and useful colonists, at the very time when a demand for such colonists is made to an extent and with an earnestness hitherto unprecedented. This demand is heard of by many who desire to avail themselves of it, but who, not having the means of doing so properly, seem inclined to take very

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very improper methods of attaining their object. When recently in London, awaiting the orders of your Committee, a clergyman, serving an agricultural parish a few miles out of town, informed me that he had several applications weekly from young men and boys who were anxious to obtain passages to Australia; and that, in more than one instance, when compelled to disappoint the applicant, the latter has observed, "Then I must do something to get transported."

I have, &c.

The Right Hon. M. T. Baines, M. P.
Chairman, &c. &c.

(signed) *Jno. Clay.*

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APPENDIX to the Evidence of *John Ball*, Esq., Poor Law Commissioner.

(A.)—Statements communicated by Poor-Law Inspectors in Ireland to Mr. Ball, respecting the Number of Juvenile Criminals, discharged from Gaol, who seek and obtain Admission to the Workhouses in Ireland - - - - - - - - - - - - - - - p. 472

(B.)—Statements communicated by Poor-Law Inspectors in Ireland to Mr. Ball, as to the Number of Young Persons of each Sex who have left the Workhouse to obtain Employment - p. 476

(A.)

STATEMENTS communicated by Poor Law Inspectors in Ireland to Mr. *Ball*, respecting the Number of Juvenile Criminals, discharged from Gaol, who seek and obtain Admission to the Workhouses in Ireland.

Mr. *Senior*, Poor-law Inspector of the unions situated in the counties of Antrim, Armagh, Down, and Londonderry, states, that "the number of juvenile criminals discharged from gaol who obtain admission in the workhouse is limited, and exclusively confined to Belfast; having lately gone over all that class individually with the guardians, I am enabled to speak with certainty as to their numbers; it is less than 20, and confined to males."

Mr. *Otway*, Poor-law Inspector of unions situated in the counties of Donegal and Sligo, states, "that he has not reason to believe that any considerable number of juvenile criminals discharged from gaol seek and obtain admission to the workhouse in his district."

Note.—Mr. Otway's present district having recently come under his charge, he has confined his observations to the district he had previous to the change.

Mr. *Joseph Burke*, Poor-law Inspector of the unions situated in the counties of Kilkenny, Tipperary, Waterford, and Wexford, states, "I have reason to believe that a considerable number of juvenile criminals discharged from gaol seek and obtain admittance to workhouses in my district. The workhouse is generally the only refuge which young criminals have; having lost character, no one will employ them, and few, except persons of bad characters, will give them lodging."

Mr. *Crawford*, Poor-law Inspector of the unions situated in the counties of Dublin, Wicklow, Kildare, Carlow, King's County, and Queen's County, states, "In the first place the number of juvenile criminals discharged from gaol is very inconsiderable indeed in any workhouse in my district, and I can scarcely say that any case of the kind has come under my observation I have known some few instances in which boys have been committed to gaol for absconding from the workhouse with the union clothing, who have been sentenced to a short period of imprisonment, and have been at the termination of their confinement re-admitted to the workhouse, but I do not recollect having ever seen any other cases in which application for admission has been made by any young persons on their discharge from gaol.

"In reply to your second question, I may state that some few of the parties to whom I have alluded as having absconded from the workhouse may have been classed as children under 15 years of age, the object of the guardians being to have them whipped in the gaol, which they preferred to having that punishment inflicted in the workhouse.

"From the foregoing replies, I would wish to except the case of one union, the South Dublin, in which I believe there are several inmates who have been received after their discharge from imprisonment, chiefly young females of bad character, but classed as adults; and on several occasions insubordination has occurred in this workhouse, which I believe to have been attributable to the association of these parties with the other inmates. The guardians have now, however, formed them into a separate class in the workhouse, and this separation has been attended with the best effects to the discipline of the establishment."

Mr.

Mr. *Phelan*, Poor-law Inspector of the unions situate in Donegal, states, "Some juvenile criminals discharged from gaol have, I think, obtained workhouse relief in my district, but I am sure the number has been very small." Appendix, No. 13.

Mr. *Barron*, Poor-law Inspector of the unions situate in the counties of Monaghan, Cavan, Fermanagh, and Tyrone, states, "I have no reason to think that any considerable number of juvenile criminals obtain admittance in the workhouses in my district.

"In the Cootehill Workhouse I am informed by the master no juvenile offenders have been admitted, except such as have been prosecuted by the Board of Guardians for absconding from the workhouse. I am likewise informed by the master of the Clogher workhouse, that no juvenile criminals have been admitted except those committed to gaol out of the workhouse for trivial offences, and who returned again when their period of imprisonment expired."

Mr. *Richard Bourke*, Poor-law Inspector of the unions situate in the counties of Galway and Mayo, states, "That there are three classes of juvenile offenders whom I have, at various times, noticed as claiming relief in workhouses after their discharge from prison:—

"1st. Those committed for offences against property, chiefly sheep-stealing.

"2d. Those found guilty of acts of vagrancy; and,

"3d. Those punished for misconduct in workhouses, such as destruction of union property, breaking windows, or acts of insubordination.

"These offenders, as far as I have observed, are almost all over the age of 15.

"The influence of the first class of offenders has frequently shown itself amongst the younger portion of their companions in the workhouse by leading to combinations for committing robberies of the union property. And in more than one instance such offences have been traced to the bad example or prompting of these criminals.

"With reference to the second and third class of offenders, I have often observed that, when they are numerous, a spirit of insubordination and turbulence has arisen amongst their associates, which it has at times been very difficult to suppress."

Mr. *Lynch*, Poor-law Inspector of the unions situate in the counties of Tipperary, N. R., and East Limerick, states, "In many of the workhouses in my district, but more particularly in those situated near large towns, there are a considerable number of persons who seek and obtain admission to the workhouses immediately after their discharge from gaol; they consist principally of boys from 15 to 18 years of age, who have been convicted of picking pockets, petty larceny, vagrancy, and disobedience to workhouse rules; there are some instances, though not many, where such persons have been classed as children under 15 years of age, and there can be no doubt that the morals of the other inmates are often contaminated by associating with such persons; it very frequently occurs that boys previously well-conducted are induced to commit acts of insubordination, and in some cases to leave the workhouses, and enter, outside, on a life of idleness and vice.

Captain *Huband*, Poor-law Inspector of the unions situate in the county of Cork, states, "The persons whom I have consulted for the purpose of replying to your letter have been the governor of Cork county gaol, Mr. Farmer Lloyd, a man of large experience; Mr. Carr, the late master of the Cork union workhouse, the head constables of the city of Cork police, all of whom I know; and although I was not able, in consequence of the short time you gave me, to see the several county and sub-inspectors of police in my district, yet, from the very frequent conversations which I have had with them at various times upon the subjects alluded to in your letter, I am well acquainted with the opinions of many of them. I also examined the county gaol register, to find the ages of the criminals committed, the offences, and the district from which they had been sent. This latter information enabled me to compare the characters of the juvenile paupers of the several workhouses with the number of juvenile criminals committed, and their localities. I likewise questioned the turnkeys and the officials of the gaols and bridewells as to their knowledge of the juvenile criminals and workhouse population. I did this for your satisfaction, as my own mind had been pretty well made up upon the subject you refer to before. I took notes of the conversations I held with all the above referred-to authorities, and I shall now reply to your queries as shortly as I can, consistently with making myself understood.

"To your first query, 'Have I reason to believe that any considerable number of juvenile criminals discharged from gaol seek to obtain admission to workhouses in my district?' (Before answering this, I must premise that the greater part of the criminal population of my district are committed to the county Cork gaol, and a small proportion to Waterford, Limerick, and Tralee gaols, which do not lie in my district.) My reply to your query, in which I am fortified by the opinions of all whom I have consulted, is, that they do in considerable numbers; that the exceptions are not worth mentioning. In fact, the juvenile criminal population are believed to be the identical parties who are to be found habitually frequenting the workhouses. One of the head constables of Cork told me that he knows of cases innumerable where the young thieves rob, bury in the ground the proceeds of their plunder, and enter the workhouse, there to remain until the heat of pursuit after them has abated, when they take their discharge, disinter their plunder, sell it, and enjoy themselves, until again driven by want of funds to repeat their offence.

"The magistrates of Cork, both city and county, send the juvenile families of persons committed to the gaols to the workhouses; the city magistrates had tickets printed, and

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endeavoured to give them the effect of relieving officers'; but the late master, by my advice, would not recognize them as such, and no further than recommendations for the relieving officer's consideration. As to the relief, it amounted to the same in the end, as the relieving officers never refuse admission tickets to these parties. There is an immense disparity between the male and female juvenile offenders; the females are comparatively few; the worst class are boys from 14 years of age to 17 or 18. I have some reason to think that the latter are made to appear under 16 in the gaols, in order to bring them within the punishment of juveniles. The same classes are the incorrigible offenders in the workhouses. It is this class who abscond or break out of the workhouse by climbing the walls and commit robberies in the vicinity, about which there are such numerous complaints everywhere.

"One of the arguments used by the opponents to increasing the number of schoolmasters in the Cork workhouse is, that the schoolboys, a class under 15 years of age, spend so much of the time in gaol that they do not remain long enough at any one time in the workhouse to benefit by education. This statement meets with no denial by any party, whether they are in favour of education or its opponent. This unanimous opinion of such a large body as the Cork Board, partly composed of the city and county magistrates, who commit the juvenile offenders to prison, will perhaps afford you a better reply to your query to me than anything I could say more."

Colonel *Clarke*, Poor-law Inspector of the unions situate in the counties of Westmeath, Longford, Roscommon, and Leitrim, states, "I can speak most positively that in my district, with the exception of Sligo Union, of which I have not yet sufficient knowledge, very few, if any, juvenile criminals discharged from gaol seek and obtain admittance to workhouses. This class, of all others, is the most impatient under restraint or confinement; and as the crime for which they are punished is, in ninety-nine cases out of each hundred, petty theft, which they follow as a profession, the workhouse is the last place they would resort to, except, perhaps, for a night's lodging; but even this is of rare occurrence, as guardians now are generally opposed to the system of nightly lodgers, which experience has proved to be the great nursery for vagrancy. It is, however, probable that in large towns, such as Cork, Limerick, &c., such cases may be numerous."

Mr. *O'Brien*, Temporary Poor-law Inspector of the Unions of Mohill, Strokestown, Roscommon, and Glennamaddy, states, "The juveniles admitted from gaol to workhouses have consisted almost entirely, so far as I have observed, of those who had either been committed direct from the workhouse (under sect. 58, 1 & 2 Vict.) for some breach of the rules, or of parties who had absconded with the union property, and been subsequently arrested for that offence. Many cases of this have occurred from time to time, and readmission to the workhouse has been usually sought by the parties on their release.

"Several of the foregoing cases have been classed 15; but, generally speaking, I think the age has been somewhat over that.

"I do not know of any instance in which moral contamination of other inmates of any class could be traced to the admission of such cases."

Mr. *Hall*, Temporary Poor-law Inspector of the Unions of Galway, Oughterard, and Clifden, states, "A considerable number of juvenile criminals discharged from gaol do seek and obtain admission to workhouses under such circumstances. The offences for which these persons have been committed to gaol are principally vagrancy, petty larcenies, and malicious injuries to property, such as breaking windows, &c. In the spring of last year, the governor of the town gaol at Galway was in the habit of sending juvenile criminals to the relieving officer, when their period of imprisonment had expired, with a note requesting him to give such parties a ticket for admission into the workhouse; but the guardians having discontinued this mode of proceeding, it was discontinued. I think that nearly, or altogether, one-half of the males so admitted were under 15 years of age. The females so admitted are almost invariably over 15 years of age, and generally advanced in life; the offence for which they have been committed to gaol being, for the most part, vagrancy.

"Circumstances have repeatedly occurred which leave no room for doubt that the intercourse of such criminals with the junior workhouse inmates is attended with injurious effects on their moral habits and conduct. Among the boys, where offences in the nature of theft, malicious injury, or falsehood and fraud are committed, it is generally discovered that one or more of the parties implicated have been in gaol, in some instances more than once, for petty larcenies, vagrancy, or malicious injuries. Individual cases of a painful nature have come to my knowledge, where boys who have been a long time in the workhouse, and have previously borne an excellent character, are induced to join in the commission of offences of the description adverted to, by persons of the same class who have been admitted after suffering imprisonment. Among the girls, the evils arising from this cause are not so great, as comparatively few are committed to gaol, or received into the workhouse therefrom. At the same time I must observe, that instances are not rare in which individuals of this class, who have been reared up as wandering mendicants, when admitted into the workhouse, have themselves committed, or induced others to commit the offences adverted to."

Mr. *Robinson*, Temporary Poor-law Inspector of the Unions of Westport, Ballinrobe, Castlebar, and Newport, states, "With respect to your inquiry, as to whether any considerable number of juvenile criminals, discharged from gaol, seek and obtain admittance to the workhouses, I believe that such persons bear a very small proportion to the applicants in general; and in most cases, those who apply after having left gaol had been formerly in the workhouses,

workhouses, and sentenced to imprisonment for breach of workhouse rules, or had been taken up and committed to gaol for vagrancy, or desertion of their children, and when discharged apply for relief and admission to the workhouse. In the Westport workhouse there are 78 men, from 15 to 20 years of age, and the master informed me, that he only knew 16 who had been in gaol, and all these had been committed for breach of workhouse rules, and had been re-admitted when the term of their imprisonment had expired. There are in the same workhouse about 200 young women of the same age, and the master states, that he does not know any of them who have been in gaol. In the Ballinrobe workhouse, out of a very large number of young men, the master only knew of nine who had been in gaol; out of these eight had been committed for breach of the workhouse rules.

"As to your second question, respecting the number of persons so admitted who are classed under 15 years of age, I believe that it very rarely happens that a child in the school under 15 years of age has been in gaol; I only know of one instance, which is in the Newport Union; and the schools at Westport and Ballinrobe, which are the largest in my district, do not at present (as I am informed by the workhouse masters) contain one child who has ever been punished by imprisonment.

"3dly. As to whether consequences injurious to the younger inmates of workhouses may be traced to the admission of such criminals, I believe that in many cases bad effects arise from the intercourse between the young men in the workhouse and those who have returned from gaol. Workhouse inmates always state that boys or young men, imprisoned for breach of workhouse rules, or crimes committed in the house, return from gaol more insubordinate, more hardened in guilt, and more inclined to commit crimes, than was the case before; these persons encourage others in doing wrong, and induce them to do so, by allowing it to be seen how little they regard the punishment that had been inflicted on them, and how ready they are to repeat the acts for which they previously were sentenced to imprisonment. The class who chiefly suffer from the intercourse are boys from 15 to 20 years of age. The persons most frequently sent to gaol are boys of this age, and it is difficult to separate them from the others when they return."

Mr. *Lucas*, Temporary Poor-law Inspector of the Unions of Kilrush, Ennis, and Killadysert, states, "I should say that the number of juvenile criminals discharged from gaol relieved in the workhouses is inconsiderable; very few cases of the kind have come under my notice. This class, when discharged from gaol, generally pursue their old habits, which invariably lead to the commission of greater crimes, and ultimately to transportation.

"The admission of adult criminals into workhouses has undoubtedly had the effect in a few instances of contaminating other inmates, and robbery and peculation of workhouse property has been the result. I have not traced consequences injurious to the younger inmates.

"Some cases have occurred of young persons discharging themselves from the workhouse in consequence of the restraints and discipline they are subjected to, and committing thefts of a minor character; but very few cases have occurred in which it could be ascertained that a preference was given to the treatment of a gaol. Instances have occurred in cases of compulsory discharge by Boards of Guardians, on the ground that the parties could obtain employment, in which it could be traced that crime was committed for the purpose of being sent to gaol. About two years since several able-bodied young men were discharged from Ennis workhouse, when they proceeded almost immediately to the residence of the chairman of the Board of Guardians and stole a sheep, for which offence they were imprisoned. I believe that about the same period the Corrofin Guardians ordered several able-bodied women to be discharged, and I have heard that they in a body committed offences which led to imprisonment. Offences committed for the ostensible purpose of being sent to gaol are now, however, of rare occurrence; this may be attributed to the improved condition of the peasantry generally."

Mr. *Briscoe*, Temporary Poor-law Inspector of the Unions of Scariff and Tulla, states, "I have known very few instances of juvenile criminals being admitted to workhouses after discharge from gaol; their stay is short, going out lingering about the workhouse obtaining rags from workhouse inmates. Those who have been sent to gaol for workhouse offences in general seek admission again, and as a general rule are admitted; the first paragraph does not apply to this class.

"The criminals (not those committed from workhouses) I consider have been the first cause of inducing boys to tear their clothing for rags and burning the brands on clothing to prevent identity of property."

Mr. *Duncan*, Temporary Poor-law Inspector of the Unions of Croom, Listowell, Newcastle and Rathkeale:—"A considerable number of juvenile criminals discharged from gaol seek and obtain admission to workhouses, probably extending to several hundreds. A large proportion of these are persons who were sent from the workhouses for various offences in it to gaol, and in many cases it occurs with the same individual more than once. The guardians seldom refuse admission to any person applying after leaving gaol. The number of the class in question is much smaller in some unions in my district than others. In many cases they are classed as children under 15 years of age.

"In the workhouses, when many of these criminals are admitted, an injurious influence is produced by them on the younger inmates. Young persons after being in gaol in nearly all cases become hardened and incorrigible. When admitted to the workhouse they give most trouble to the officers, and try to corrupt the other inmates.

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Mr. *Horsley*, Temporary Poor-law Inspector of the Unions of Kenmare, Killarney, Tralee, and Cahirciveen, states, that "Very few juvenile criminals discharged from gaol after having undergone imprisonment for offences committed outside the workhouse seek admittance thereto; but young persons imprisoned for offences, committed whilst they are in the receipt of workhouse relief, such as absconding with the union clothing or stealing union property, frequently seek and obtain re-admission to the workhouse on their discharge from gaol, and do not come back with improved habits. Such offenders, however, are rarely under 15 years of age, and are not therefore classed as children.

"The class most prone to commit the above-mentioned kind of offences are young persons of both sexes between 16 and 20 years of age, and the male offenders preponderate greatly over the females; still the amount of crime committed within workhouses is incredibly small, considering the large masses of persons constantly congregated together, and the class of life to which they belong.

"No very marked cases of contamination of the kind have come under my notice; but I have known a spirit of insubordination and resistance to moral control and lawful authority raised among the class of man boys by the introduction of two or three bad characters among them.

Mr. *R. Hamilton*, Temporary Poor-law Inspector of the Unions of Bantry, Skull, Skibbereen, and Castletown Bearhaven states, that "generally speaking, the only class of discharged criminals who have applied for relief in my unions, viz. Skibbereen, Skull, Bantry, and Castletown, are those who have been committed to gaol for offences against the Vagrant Act. Discharged criminals of notorious bad character seldom seek admission to the workhouse, except when requiring medical treatment."

Captain *Hamilton*, Temporary Poor-law Inspector of the Unions of Ballina, Belmullet, and Killala, states, "I have no reason to believe that any considerable number of juvenile criminals discharged from gaol seek or obtain admission to the workhouses in my district.

"I have not known of any instance of persons so admitted being classed as children under 15 years of age.

"I have not directly traced consequences injurious to either the younger classes of inmates or the adults, from the admission of such criminals."

Captain *Spark*, R. N., Temporary Poor-law Inspector of the Union of Dingle, states, "I have not known more than two or three instances of juvenile criminals discharged from the gaol seeking and obtaining admittance to workhouses in my district, none of whom have been classed under 15 years of age."

Dr. *Brodie*, Temporary Poor-law Inspector of the Unions of Ennistymon and Ballyvaughan, states, "I have known various persons of the class of juvenile offenders, on being discharged from gaol, seek and obtain admission to the workhouse; the crimes generally committed by juveniles are absconding from the workhouse, and the destruction of their clothes; these are frequently under 15 years of age; it very often occurs that they abscond on the pretext of going to visit their parents at some of the auxiliaries, they then dispose of a portion of their clothing, and seek admission at the workhouse gate in a few days after. If punished by being sent to gaol on their return, they are classed as under 15, the major part of such delinquents being schoolboys.

"In the years 1848 and 1849, these cases had a very injurious effect; the dietary in the gaol was better than at present; the usual observations made by refractory paupers of all classes was that they were much more comfortable in gaol than in the workhouse, and that they were always glad to be sent there; such is not the case of late. I attribute it to the reduced scale of dietary, and perhaps also to a more rigid line of discipline."

(B.)

STATEMENTS communicated by Poor-law Inspectors in Ireland to Mr. *Ball*, as to the Number of Young Persons of each Sex who have left the Workhouse to obtain Employment.

Note.—These statements refer to the same Unions stated to be under the charge of the different Inspectors in Appendix (A.).

Mr. *Senior* states, "With sufficient time given me, I could inform you accurately as to the number of young persons of each sex who have left the workhouse to obtain employment found for them by the guardians, but without such time I can only state that there is scarcely a child of either sex, aged 12 years, in the workhouses; and that the supply of children in the workhouses is less than the demand.

"The proportion of children who misconduct themselves, or from any cause whatever leave their service, is, in the Belfast Union, five per cent.; in rural unions it is smaller. Children sent to service are regularly visited by the relieving officers, by which means we obtain accurate returns."

Mr. *Otway* states, "The number of both sexes, especially females, who have left the workhouses to go into service, or otherwise obtained employment, in the north-western unions, have been very considerable. In well-managed workhouses, the healthy, intelligent, and well-conducted young persons of both sexes have found little difficulty in obtaining service.

service. The number of young persons left in workhouses as a kind of permanent burden on the unions have been much less than I at first anticipated. The proportion of those who have obtained employment, and have subsequently misconducted themselves by committing criminal offences, have been very small; by wilful neglect of duty, small."

Mr. *Joseph Burke*, states that, "There is unfortunately so little employment in the country, that but comparatively few young persons are taken out of the workhouse to be employed."

Mr. *Crawford* states, "With respect to the number of young persons of each sex who have left the workhouse to go into service, or have otherwise obtained employment, I can state generally, in the case of the boys, that I find very few cases indeed in which they remain a charge on the union after becoming adults. All the boys who have been taught a trade in the workhouse, such as that of tailor, shoemaker, or baker, easily obtain employment, and take their discharge after having made some progress in learning their trade; the consequence of which is, that there is scarcely a case of an able-bodied single young man to be found in any workhouse in my district. The case is very different with regard to young females, who form a very large class in every workhouse, and who find the greatest difficulty in obtaining employment. In a few unions some are taken out as domestic servants, but not to any great extent; and I find a very general concurrence of opinion among the guardians, that the only means of getting rid of the class in the workhouse is by emigrating them to the colonies. The embroidery of muslin has been introduced into several of my workhouses, with the expectation that the girls, on being instructed in this, are or might be enabled afterwards, as in the north of Ireland, to earn a subsistence for themselves; but I have not yet found it to produce this effect. Nor do I conceive it will, until agents for giving out this work have been established in the several localities; as at present, from the want of local agents, the girls on their discharge from the workhouse would find the greatest difficulty in procuring work to be performed.

"I think such young persons as have gone out of the workhouses for employment have generally conducted themselves in a satisfactory manner, and the number applying for re-admission into the workhouse is not large. There is an indisposition (and I think a proper one) among the guardians to re-admit them, unless they find on inquiry that they have not met with kind treatment on the part of their employers; but yet I have known several cases in which the guardians have been obliged to admit young females with whose reasons for departing from employment they were not satisfied, fearing that if they were not admitted they would probably be obliged to resort to immoral conduct to obtain a subsistence."

Mr. *Phelan* states, "In my district many young persons of both sexes have gone willingly into service, but the wages they get are very small; a boy or a girl of 14, 15, or 16 years of age will be only paid from 8 *s.* to 12 *s.* for the half year ending the 1st November. They always diet and lodge with the employer. A few have misconducted themselves, but generally they behave well. In my district they generally apply in November or in December for admission into the workhouse, and obtain it, as during the winter and spring they are discharged from their employment, and the small wages they have had for the previous half year are soon expended."

Mr. *Barron* states, "A vast number of persons of each sex have left the workhouse to go to service, or have otherwise obtained employment since the famine. In the Cootehill Union there have been between 300 and 400 girls hired out, and from 100 to 150 boys from 12 to 15 years of age. In the Clogher, about 30 of each sex have been hired out of the workhouse.

"From what I have learned I consider that, taking the number hired out, very few have returned considering the great number who have left the workhouses. In the Clogher workhouse there were about 20 of both sexes who neglected their duty. In the Cootehill about one-third of the parties engaged returned for wilful neglect of duty, but have since obtained employment and remained away."

Mr. *Richard Bourke* states, "Instances are daily occurring of young inmates of workhouses of both sexes, who take their discharge for the purpose of going into service. These are chiefly farm servants, though these latter are not so frequent, because there are no means available in the workhouse for qualifying the inmates for ordinary household occupations. In unions where farms have been established, and boys of 16 years of age have received good agricultural instruction, they have to a considerable extent left the workhouse and obtained employment with farmers, and I do not at present call to mind any case where this description of servants have misconducted themselves. But I have known instances when those who have not received such instruction have left the employment charged with idleness; and it is frequently remarked that this tendency is exhibited more strongly by those who have been for any length of time in a workhouse than by those who have never been inmates. Of late some efforts have been made by Boards of Guardians to teach embroidery to females, and several young persons have taken their discharge from workhouses in this district, and are now earning a livelihood by this work. A few of them have returned to the workhouses, alleging that their labour was not sufficient for their maintenance, but only a few.

Mr. *Lynch* states, "I have no returns of the young persons who have left the workhouse to go into service, or have otherwise obtained employment since the famine; but that the number has been very considerable there can be no doubt, and this is best proved by

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by the large decrease which has lately taken place in all the union houses, and it is by no means uncommon for farmers and others to apply to the masters of the workhouses for young persons to fill the offices of servants, &c.; the applications are, however, much more frequent for females, who have many more opportunities of acquiring in the workhouses habits of industry, &c., suited to their after station in life; and while I am not aware of any instance in which such persons have misconducted themselves by committing a criminal offence, I regret to say, there have been many, and I fear well-grounded complaints of neglect, indolence, and indisposition to work, and for these reasons it is not uncommon to find such persons seeking and obtaining readmission to the workhouses. There is a great objection on the part of farmers, &c., to take into their employment young men who have been inmates of the workhouses for any considerable time; they generally turn out idle and lazy, and from previous habits ill calculated to make good farm servants."

Captain *Huband* states, "To query relative to the number of persons of each sex who obtained service from the workhouse since the famine, I have no information from Mr. Carr or anybody else, and cannot therefore reply to the subsequent query, nor the next following.

"The children apprenticed to trade have been few in any workhouse. I seldom see them return, and seldom hear any complaint from their employers. If they are dismissed or quarrel with their employers, I think that they would seek admission in any workhouse sooner than that from which they went into service."

Colonel *Clarke* states, "I am not in possession of any documents to show the number of young persons who have left workhouses to go into service, but I know it to be very large. In those workhouses where the industrial training of children is carried out on sound principles, very many boys, taught the trade of tailor, shoemaker, baker, carpenter, &c., are now earning a respectable livelihood.

"I have seldom heard of gross misconduct or wilful neglect of duty amongst the young persons, but very frequently of the want of physical power; the remark generally made by persons taking children from workhouses as domestic or farm servants is, that they are orderly, obedient, and cleanly in their habits, but that they are deficient in that bodily strength that children of the same age, differently trained, possess.

"Many who have been discharged from service for the cause above assigned, have sought and obtained admission to workhouses, and this cannot be matter for surprise, for the drudgery and discomfort of a servant (whether male or female) to a small farmer, forms a strong contrast to the order, cleanliness, regular meals, light work, and warmth and comfort of a workhouse; and to those who have been brought up from their earliest years in such establishments, they become attractive from early associations; and no doubt there is often a desire to return to them, and an inducement to feign the want of strength in order to be discharged from service with a good character; but guardians are very stringent in such cases, and I do not think the evil extends to any great degree."

Mr. *O'Brien* states, "The number of young persons of both sexes who have left the workhouse and obtained employment since the famine has been very considerable, but at this moment I cannot venture to say to what extent. I have met with instances, not many however, where such young persons of both sexes have, after getting service, lost it by idleness or insolence to their employers; such parties have frequently, to my knowledge, sought for re-admission, but a strong tendency having been recently manifested by the several Boards of Guardians to reject all such applications, where a statement was not produced from the employer showing the loss of employment not to be attributable to the parties themselves, I think the evil is daily and clearly on the decline, and will soon cease to exist altogether."

Mr. *Hall* states, "I have no reliable data on which I could ground a statement of the actual number of young persons who have obtained employment outside after leaving the workhouse since the famine; I believe, however, that a considerable number have done so. The only accurate statisticals I have by me relating to this query is a return which I have recently obtained of the number of young persons belonging to the agricultural school at Dangan, in the Galway Union, who have obtained employment outside within the last 12 months. The total number is 65; and of 31 of these, with regard to whom I have obtained more particular information than of the others, the report is satisfactory. The others are employed in remote districts in this or the adjoining unions, and no account has recently reached us of their conduct or behaviour.

"It must be observed, that besides those persons who leave the workhouse and obtain permanent employment outside, a large number of the junior inmates, both males and females, take their discharge in harvest, and generally support themselves by farm labours until the crops are put down in the following spring. Food then becoming scarce, and employment being no longer obtainable, they are under the necessity of again resorting to the workhouse till the ensuing harvest.

"Complaints have occasionally been made of the idleness or unwillingness to work of persons who have been inmates of the workhouse, especially in cases where the parties have been discharged by the guardians for the purpose of obtaining employment outside; but taking the whole of my district into consideration, the proportion of such to the total number who have obtained employment is not large. I have heard of very few instances in which the parties so obtaining employment have been guilty of any criminal offence.

"Those who leave service have generally again sought admission, and in some instances have been admitted. In cases where there is clearly an indisposition to labour while employment is available, the guardians generally refuse the application, which is frequently repeated

repeated on successive Board days; and it often occurs that the party, finding it useless to look for admission into the workhouse, seeks for and obtains employment outside."

Mr. *Robinson* states, "The information you desire as to the number of young persons, of each sex, who have left the workhouses to go into service, or have otherwise obtained employment, would require more inquiry than I could make yesterday, in order to be able to state quite accurately the facts relative to each of the unions in my charge. During last year, many young persons have been taken from the workhouse as servants, tailors, bakers, and carpenters.

"I have been informed by the master of the Ballinrobe workhouse that during the last year about 200 young women and about 100 young men have left the house and obtained employment. These persons had been from one to six years in the workhouse. The master knows about 20 of these women and 12 men (under 20 years of age) who have obtained employment in the town of Ballinrobe and immediate neighbourhood, and who bear good characters and are going on well. The remainder procured employment in different parts of the country, and some have gone to England. Of the entire number discharged, about 20 have since applied for and obtained admission to the workhouse.

"There have been lately discharged from the same workhouse 16 tailors, nine bakers, and one shoemaker, all obtaining employment at their respective trades, which they learned as boys in the workhouse, and have all been continued in this employment up to the present day, with the exception of three bakers, who upon yesterday applied for relief. The master states that the persons so employed in the neighbourhood have good characters; and that of all those who, during the past year, have left the workhouse and procured employment, he has heard of none who have misconducted themselves by committing criminal offences.

"The master of the Westport workhouse states that, during the last nine months, about 60 young women and 20 young men have been taken out of the house as servants; 40 of these women were taken out by the nuns of the convent in the town of Westport, who procured situations for them.

"There were also discharged, during the same period, three tailors, four weavers, and two bakers, who have since been in constant employment at their trades, which they had learned in the workhouse. About 40 of the female servants, eight of the men servants, and all the tradesmen, are now employed in this neighbourhood; and the master states that he is aware that they bear good characters, and that none of them have committed criminal offences.

"None of these have been permanently re-admitted to the workhouse, two of the servants who were temporarily admitted during fever having returned to their places when recovered."

Mr. *Lucas* states, "I should say that, considering the large number of persons relieved in the workhouses in my district, the number of young persons who have obtained service or employment is comparatively small. Those that have obtained service are of the class who have received industrial instruction on the workhouse farm, shoemaking, and tailoring.

"I should say that the young persons who have obtained service from the workhouses have been generally well conducted, and have not been guilty of any criminal offence or wilful neglect of duty."

Mr. *Briscoe* states that "The instances are rare of young persons having left the house to seek employment, as they would be nearly useless to farmers, who invariably find them disinclined to work, have a great objection to receive them for fear of disease, especially since ophthalmia and sore heads have been so prevalent in workhouses. As a general rule all workhouse inmates have a disinclination to leave the house, the habits acquired inducing laziness and want of self-reliance. The juvenile inmates taken out are generally by relations, who get money from America for this purpose; these cases are of constant occurrence. Several have been re-admitted to the workhouse in consequence of their masters considering them useless as servants, and where no further remittance came from America."

Mr. *Duncan* states, "From the information I have derived from the workhouse masters, it appears that very few have got service or employment. This however is, I think, mainly accounted for by the redundancy of persons looking for such employment as they would be fit for. The over competition of persons seeking to obtain work is the great evil of the country. It is that which keeps wages at so low a rate, thereby depressing so much the condition of the labourer; and I believe the excess of persons dependent on labour is the main cause of the large number being in the workhouse. Whenever a means of employment presents itself outside, the adults are sure to flow into that channel till the want is supplied."

Mr. *Horsley* states, "I am certain that the number of young persons of either sex, who, since the famine, have obtained continuous employment either in service or otherwise, is surprisingly small when compared with the numbers of that class constantly relieved in the workhouses within that period.

"I have known many cases where young persons who have been taken out of the workhouse by farmers or others, for farm or domestic servants, have through idleness or wilful neglect of duty lost such service; and I have observed with pain, that when young persons of either sex become familiarized with the workhouse, they prefer remaining within it to leading a life of constant and active exertion outside for the purpose of earning an independent livelihood; and not only is the workhouse sought to be used by such persons as a means

Appendix, No. 13.

means for compelling a high rate of wages from employers, but when in service and reasonably found fault with, they discharge their masters and mistresses, saying, 'We have the workhouse to go to.'

"The males are generally refused re-admission, but the Board of Guardians are very properly exceedingly cautious how they reject young females, who, if not taken back into the workhouse, might be driven by want to become prostitutes."

Mr. *Richard Hamilton* states, "The number is very considerable, and, generally speaking, I think they satisfy their employers.

"Very few cases of misconduct have come under my notice."

Captain *Hamilton* states, "In Ballina Union a number of young persons have latterly left the workhouse either to go into the factories in England, or to get service as servants; in some few instances (four) as teachers of schools. Probably about 40 girls and 30 boys from the Agricultural School have left the workhouse within the last six months, and are now doing well. There is not the same objection that there used to be to taking young persons out of the Ballina workhouse, which however may, to a great extent, be owing to the difficulty in getting servants elsewhere, owing to the increased emigration which has taken place. I have hardly known an instance of such persons again seeking admission to the workhouse. These latter observations apply only to Ballina Union. In Killala and Belmullet hardly any young persons have been taken out of the workhouse as servants."

Captain *Spark*, R. N., states, "The number of young persons who have left the workhouse to go into service, or who have otherwise obtained employment, has been very limited.

"The poor of this district, of both sexes, bear in general an excellent character for good conduct and honesty when in employment; and I have heard few instances of any of them, young or old, having misconducted themselves in, or who have lost situations in consequence of committing criminal offences, or for wilful neglect of duty."

Dr. *Brodie* states, "I have before stated the injurious effect created by the employment of young persons without any remuneration save their food. Immorality amongst the females of this class has greatly increased since the famine. Respectable or comfortable families do not like to engage the services of females who have been inmates of a workhouse. The reason stated is, that being allowed to associate with females who were of an indifferent character before their admission to workhouses creates an indifference of moral feeling; frequent complaints are made of the idleness of servants who have been taken out of workhouses, and of their anxiety again to go back to the workhouse."

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Appendix, No. 14.

THE LAW of the State of *Massachusetts* with respect to TRUANT CHILDREN.

AN ACT concerning TRUANT CHILDREN and ABSENTEES from School.

[Approved 3 May 1850.]

Be it enacted, &c., as follows:

Sect. 1. EACH of the several cities and towns in this commonwealth is hereby authorized and empowered to make all needful provisions and arrangements concerning habitual truants and children not attending school, without any regular and lawful occupation, growing up in ignorance, between the ages of six and fifteen years; and also all such ordinances and bye-laws respecting such children as shall be deemed most conducive to their welfare and the good order of such city or town; and there shall be annexed to such ordinances suitable penalties, not exceeding for any one breach a fine of 20 dollars: Provided that the said ordinances and bye-laws shall be approved by the Court of Common Pleas for the county, and shall not be repugnant to the laws of the commonwealth.

Sect. 2. The several cities and towns availing themselves of the provisions of this Act shall appoint at the annual meetings of the said towns, or annually by the mayor and aldermen of the said cities, three or more persons, who alone shall be authorized to make the complaints in every case of the violation of the said ordinances or bye-laws to the justice of the peace or other judicial officer who by the said ordinances shall have jurisdiction in the matter, which persons thus appointed shall alone have authority to carry into execution the judgments of the said justices of the peace, or other judicial officer.

Sect. 3. The said justices of the peace, or other judicial officers, shall in all cases, at their discretion, in place of the fine aforesaid, be authorized to order children proved before them to be growing up in truancy, and without the benefit of the education provided for them by law, to be placed for such periods of time as they may judge expedient in such institution of instruction, or house of reformation, or other suitable situation as may be assigned or provided for the purpose, under the authority conveyed by the first sections of this Act, in each city or town availing itself of the powers herein granted.

Appendix, No. 15.

HEADS of a BILL for the Establishment and Management of PENAL REFORMATORY COUNTY FARM SCHOOLS for JUVENILE OFFENDERS in certain Counties in *England*. Appendix, No. 15.

(Proposed by *Jelinger Symons*, Esq.)

THAT it is expedient to make better provision for the reformation of juvenile offenders under the age of 16 years, in 15 of the most populous counties in England, and to remove them wholly from further imprisonment in the common gaols.

1. That it shall be lawful for the Lords Commissioners of Her Majesty's Treasury to set apart and appropriate a sum not exceeding 150,000 *l.* from the Consolidated Fund, for purchasing land, and erecting and fitting suitable buildings for the purpose of the said schools.

2. That the selection of proper sites, and the erection of the said buildings and superintendence thereof, be under the immediate authority and control of Her Majesty's Secretary of State for the Home Department.

3. That the said Secretary of State shall, in certain of the most populous counties of England, to wit, Middlesex, Lancashire, Cheshire, Devon, Durham, Gloucestershire, Kent, Norfolk, Somersetshire, Staffordshire, Surrey, and Yorkshire, cause a suitable site to be taken, and buildings for a school and farm, as hereinafter described, erected for the establishment of 15 of the said schools in the said counties, two whereof to be in Middlesex, Lancashire and Yorkshire respectively.

4. That each of the said school buildings shall be constructed to hold from 350 to 450 children of both sexes.

5. That a portion of the building be constructed on the most approved models for detention in separate cells, and for the carrying on of hard and irksome labour therein.

6. That the remainder of the building be adapted for a large boarding-school, with dormitories, &c. fitted in the homeliest manner.

7. That outbuildings be erected for the ordinary offices, and also for the purposes of a small farm, together with sheds for shops, enclosed in yards.

8. That provision be likewise made for dairy-work, baking, washing, ironing, and for instruction therein to the female inmates.

9. That the Secretary of State also cause land to be rented or purchased, by money raised by loan, to the extent of not more than 25 acres for each school, to be cultivated by the labour of the inmates.

10. That on the first day of the general quarter sessions of the said counties holden next after Lady-day in every year, in each of the counties aforesaid, the justices assembled thereat shall elect a number of fit persons, equal to the number of Poor Law Unions in the same county in which the said school is established, to be members of a Board of Management of the said school for the ensuing year, provided that no person shall be so eligible as aforesaid, unless he be then actually rated to the relief of the poor within the said county to the net annual value of 100 *l.*

11. That each Board of Guardians, at its first meeting after its election at Lady-day in the said counties in each year, shall elect one fit person to be a member of the said Board of Management for the ensuing year, provided that no person shall be eligible unless he be then actually rated to the relief of the poor in the said county to the net annual value of 50 *l.*

12. That the Board of Management, so elected as aforesaid, shall meet not less than once every three weeks at the school.

13. That the officers of the said establishment shall consist, at least, of a governor, a matron, a schoolmaster, a schoolmistress, and a chaplain of the Established Church (being first sanctioned by the Lord Bishop of the diocese), a medical attendant, and a clerk and auditor, together with a fit person to train the inmates in morals and industry for every 25 thereof, which number of inmates shall be grouped and placed under the special charges of one of the said trainers, as well by night as by day.

14. That the appointment of all the said officers, and such subordinate officers as may be required for the establishment, shall be vested absolutely in the said Board of Management; but they shall not dismiss the master, matron, schoolmaster, schoolmistress, chaplain, clerk, or auditor, without the consent first had and obtained of the said Secretary of State for the Home Department.

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15. That the magistrates in petty and borough sessions and the courts of quarter sessions and of assizes shall, in the above-named counties, commit all juvenile offenders, after a certain day to be fixed by the Secretary of State, whether before or after trial, to the said prison schools, instead of the county or city gaols.

16. That for all felonies whereof the said offender shall be convicted, whether summarily or after trial, or any other offence now punishable by transportation, the sentence and term of imprisonment shall in no case be less than 12 calendar months, or more than three years; and for all minor offences not now punishable with transportation, for a term not less than six months, and not exceeding 18 months.

17. That it shall be lawful, at any time during a term of a sentence, for Her Majesty's Secretary of State, on the recommendation of the said Board, either wholly to remit the same, or to suspend the remainder thereof for a certain definite number of years, during which period the said suspended sentence may be at any time restored and be put in full force against the same offender, on his conviction of any fresh offence whatever against the law, and at the expiration of the said period the said sentence shall wholly determine.

18. That, for a period to be regulated by the said Board, every offender, after conviction, shall be subjected to a correctional stage of discipline in separate confinement, with hard, irksome labour, and diet as low as shall be in each case consistent with the health of the offender.

19. That after the expiration of the said period of correctional discipline, the offender shall be placed in one of the said groups in the general school, and allowed to associate with the other inmates.

20. That the discipline in school be mild and firm, having a constant aim to produce reformation of character, and to confirm it.

21. That the instruction taught in the school-room consist of the principles of the Christian religion, reading, writing, the elements of arithmetic, and other useful practical knowledge, to be given for a period not exceeding three hours daily.

22. That the entire religious instruction shall be under the control of the chaplain, subject to the provisions with respect to religious scruples contained in the 7 & 8 Vict., c. 101, s. 43, for which like provision shall be made.

23. That the inmates shall, during the remainder of the day, saving at meals and time for recreation, be trained in the practice and study of systematic industry, of which spade-husbandry and useful handicrafts shall be the staple occupation for the boys, and needle and household and dairy-work for the girls, under the constant superintendence of the said trainers.

24. That the said industry shall be adapted as far as possible so as to diminish and defray the expenses of the maintenance of the inmates.

25. That it shall at any time be lawful for the said Board, or the governor, to replace any inmate in the correctional stage of discipline, on misbehaviour, and to detain him there at the discretion of the committee.

26. That the said committee be empowered to frame bye-laws and regulations in furtherance of the foregoing provisions.

27. That Her Majesty's Inspectors of Prisons and Her Majesty's Inspectors of Schools shall at all times have free access to the establishment, and report thereon to the heads of their respective departments.

28. That Her Majesty's Inspectors of Prisons shall be empowered to suspend the execution of any such bye-law or regulation as aforesaid, made for the management of any part of the establishment, save the school, until the same shall have been allowed or disallowed by the Secretary of State.

29. That Her Majesty's Inspectors of Schools be similarly empowered to suspend the operation of any such bye-law or regulation having reference to the management of the school, until such bye-law or regulation shall have been allowed or disallowed by the Lords of Her Majesty's Committee of Privy Council on Education.

30. That the salaries of all the school teachers and trainers be defrayed by grants from the said Committee of Council, to be regulated from time to time by examination by one of Her Majesty's Inspectors of Schools, under regulations to be framed by the Lords of the said Committee of Council.

31. That all the expenses of the said establishment not hereinbefore provided to be paid by grants from the said Committee of Council, be assessed according to the average actual expenditure, inclusive of establishment charges per head on each inmate, estimated by the quarterly average thereof preceding each current quarter, and that the amount thereof be the payment to be made to the said committee in support of the expenses of the said establishment.

32. That the said sum per head on each inmate shall be levied on and recoverable from the common fund of the Union wherein the offence took place for which each inmate was, committed

committed, according to the powers given for the recovery of like repayments in support of district parochial union schools by the 7 & 8 Vict., c. 101, s. 46. Appendix, No. 15.

33. That every such Union, so charged as aforesaid, shall have full power to recover the said payments during the whole term of the imprisonment, for each inmate chargeable to it, from his or her father or stepfather, by order of any two justices of the peace, according to and by the same powers as are now given by the 7 & 8 Vict., c. 101, ss. 2, 3, and 4, as far as the same are applicable thereto, for the recovery of the costs of maintenance from the putative fathers of bastard children, together with the same powers of appeal against such order by the party charged therewith.

34. That for the purpose of proving the chargeability of such inmate on such Union, a certificate, purporting to be signed and sealed by or on behalf of the said committee of the penal school, shall be sufficient evidence, and that the only additional evidence required for the making of the said order shall be evidence of such parentage as aforesaid.

35. That it shall be lawful for Her Majesty's Secretary for the Home Department to license under his hand and seal any similar establishment for the correction and reformation of juvenile offenders founded by voluntary subscriptions, and to confer on them any or all of the powers given by this Act to the aforesaid county penal schools, and to authorise the commitment of juvenile offenders thereto within such district, and under such regulations for the due management thereof as may seem to him from time to time expedient.

36. That it shall be lawful for Her Majesty's Secretary of State for the Home Department to permit juvenile offenders convicted in counties adjacent to those hereinbefore named to be committed to the said penal schools, on such terms and conditions as he may think fit.

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I N D E X.

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A.

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The drunkenness of parents is the main cause of the neglect of the children; suggestion that public houses be closed on the whole of Sunday as a means of mitigating this evil, 2091, 2092——The undue facilities at present given by marine store-dealers and others for the disposal of stolen goods, tends much to increase juvenile crime; clause in the Police Act relative to pawnbrokers which might easily be extended to marine storedealers, 2093–2097. 2105–2110—— Insufficiency of the present law regarding pawnbrokers; opinion that the police should have more summary power than at present, and should be authorized by law to visit shops of this kind, 2098–2104.

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ABERDEEN INDUSTRIAL FEEDING SCHOOLS:

1. *Evidence generally relative to the Formation and Objects of these Schools.*
2. *Remarks as to the Conditions of Admission, and the Number of Children in the Schools.*
3. *Statement as to the System adopted, and beneficial Results thereof.*

1. *Evidence generally relative to the Formation and Objects of these Schools:*

Evidence relative to the foundation and general history of the Industrial Feeding Schools at Aberdeen, *Thomson* 3024 *et seq.*——The first school opened was the boys' school in October 1841; this school consists of neglected juveniles, and of boys guilty of petty offences, and the number has increased since its opening from twenty to sixty or seventy, *ib.* 3025–3028——There are also two girls' schools conducted in the same manner, and for the same subject, but with separate committees, *ib.* 3029–3032——The fourth school is called the Juvenile School for Boys and Girls, and was established under the Local Police Act, which declares begging an offence; upon a certain day every little begging boy and girl in the town of Aberdeen were forcibly captured under the sanction of the magistrates, and were taken to this school, which has increased from seventy-five, the first number, to about 115 or 120; opinion that this proceeding, though most probably very illegal, was highly expedient, and has done great good, *ib.* 3033–3036——There is a fifth school, called the Child's Asylum, which was originated in December 1846; the object of this school was to provide a place of refuge for very young, neglected, destitute children, but it was since turned into the means of admitting the children to the Juvenile School for Boys and Girls, *ib.* 3037. 3110.

With regard to this juvenile school there was great difficulty in dealing with the children the first day when they were captured; however, after treating them kindly, and feeding them well, &c., their liberty was given them, with the option to return again the next day, and out of the original number of seventy-five, seventy-two came back the following day, and the school has gone on successfully ever since, *Thomson* 3037——

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Aberdeen Industrial Feeding Schools—continued.

1. *Evidence generally relative to the Formation, &c.*—continued.

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2. *Remarks as to the Conditions of Admission, and the Number of Children in the Schools:*

The only conditions of admission into the schools are poverty and destitution, whilst criminality acts as no obstacle to the reception of juveniles, *Thomson* 3039——The great majority of the children, though on the high way to becoming criminals, can scarcely be said to have become so on account of their extreme youth; reference to a work by witness in support of this opinion, *ib.* 3039–3045——The population of Aberdeen is about 70,000, and the present number of scholars in the industrial schools is about 400, which is nearly as many as that in Edinburgh, with a population of 150,000; *ib.* 3065. 3107–3111——The girls' school at present contains seventy children, and the cost per head comes to about 4*l.* per annum, *ib.* 3160, 3161.

3. *Statement as to the System adopted, and beneficial Results thereof:*

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Remarks relative to to the feeding schools at Aberdeen; the results have been extremely beneficial, *Thomson* 3055. 3071. 3077–3079. 3209; *Jebb.* 4008–4013——The system of treatment pursued at the Aberdeen schools is preventive rather than reformatory; reference to a scheme proposed by Mr. Sheriff Watson, with regard to boys and girls who are too old for this treatment, *Thomson* 3081——Witness can suggest no improvement upon the present system of industrial training pursued at Aberdeen, *ib.* 3115, 3116——It is very objectionable to give entire board in industrial schools, as that would be an approximation to the hospital system, *ib.* 3128——In each of the Aberdeen schools there is a teacher and an assistant, and monitors are occasionally employed, *ib.* 3200, 3201——No disadvantage results from the children spending the night elsewhere than in the schools; the fact of their being obliged to return home at night has had an excellent effect upon their families, over whom the improved conduct and principles of the children frequently exercise a most beneficial influence, *ib.* 3216–3221. 3325, 3326.

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Acts of Parliament. Reference to the two acts more especially relating to the treatment of youthful offenders; viz. the 1 & 2 Vict. c. 82, and the 3 & 4 Vict. c. 90, *Williams* 16——Power given by the first Act of sending children under sentence of transportation to Parkhurst prison, *ib.* 17–19. 165–168——Inoperativeness of the Act 3 & 4 Vict. c. 90, intituled, "An Act for the Care and Education of Infants who may be convicted of Felony," *ib.* 90–93.

Adams, Serjeant. (Analysis of his Evidence.)—Serjeant-at-law, with a patent of precedence, for twenty-eight years, 1811——Has been assistant judge of the Middlesex quarter sessions for eight years, 1812. 1814——Was previously chairman of the quarter sessions for the county of Middlesex for nine years, 1813, 1814——When at the bar, witness was on the Midland circuit, and used to attend the Warwick sessions, where he had an opportunity of witnessing the trials of great numbers of juvenile offenders from Birmingham, 1815–1817——Great number of children under fourteen years old tried by witness at the Middlesex quarter sessions, 1818–1821——Great disgust felt by the public and the juries themselves at the state of our criminal jurisprudence, by which from thirty to forty children, at ages varying from ten to thirteen, used daily to be tried and sentenced at the quarter sessions, 1818——The youngest child ever tried by witness was seven years old, 1819——The smallest offence was that of stealing a penny tart, or a halfpenny or penny toy tobacco pipe, 1820.

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Agricultural Districts. Comparative absence of juvenile delinquency in agricultural districts, *Williams* 71. 89; *Adams* 1955, 1956.

Agricultural Labour. Suggestions that agricultural labour should form a large portion of the industrial training in Reformatory Schools, *Carpenter* 951; *Power* 1182–1185; *Symons* 2431–2433.

See also *Rauhe Haus Reformatory Institution*, 3. *Red Hill Philanthropic Institution.*

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Aix Institution (*Belgium*). Reference to a reformatory institution at Aix on the same principle as that at Rhuysselede, of receiving only poor boys, *Paynter* 709–711.

See also *Rhuysselede Institution* (*Belgium*).

Alteration of the Law. Opinion that there need be no change of the law except of Sir J. Pakington's Act, which sends juvenile offenders to prison instead of to school as proposed, *Carpenter* 932. 935, 936.——*See* also *Criminal Law.*

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See also *Management of Schools.* *Massachusetts Female Refuge.* *New York House of Refuge.* *Period of Detention.*

Apprentices. Great objection to apprenticing the boys at home after they leave the Philanthropic Society's Institution, *Williams* 145–147.

Associates. Opinion that, as a principle of the reformatory process, there should first be an entire separation of the child from his evil associates, *Carpenter* 818——When a boy leaves the prison he finds his companions waiting for him outside, and he very speedily returns to his all old habits, *M——* 2164–2171——On leaving his old associates, witness found but slight attempts on their part to get him back again; the gang, of which witness was captain, consisted of twenty-five boys, who are now dispersed in different ways, *ib.* 2255–2260——The present mode of discharging juvenile offenders from prison is very injurious; remedies suggested for the existing evils, *MacGregor* 3596–3598.

See also *Brook Street Industrial School*, 2. *Discharged Children.*

ASSOCIATION:

1. *Evil Effects resulting from the Association of Prisoners.*
2. *Suggestions for the Association of the Sexes in Reformatory Schools.*

1. *Evil Effects resulting from the Association of Prisoners:*

Opinion that the great mass of juvenile offenders should not be associated together, *Tracey* 750. 760——Bad effects resulting from the association of the prisoners, *Clay* 1604, 1605; *Symons* 2391, 2392——Objection to a stigma being cast on one class of boys from associating with a worse class, *Symons* 2482–2485——Opinion that an indiscriminate association of the boys in other prisons before being sent to Parkhurst, renders them hardened and impudent; witness would prefer dealing with a boy as soon as possible after his sentence, *Hall* 2867–2869.

2. *Suggestions for the Association of the Sexes in the Reformatory Schools:*

Great benefits would arise from a mixture of the sexes in the reformatory schools under proper discretion, *Carpenter* 897. 1067–1078——The influence of girls as constituting one of the main features of a home is very essential, *ib.*——Opinion that no practical evil can arise from the association together, in the same school, of boys whose criminal habits were known to each other previously, *ib.* 945–947——With regard to the association of children who are merely distressed with those who have been guilty of petty offences, there has never been any objection made on the part of the parents of the former class, nor on the part of the children themselves, against such association, *Thomson* 3162–3166.

See also *Classification of Prisoners.* *Separate Confinement.* *Silent System.*

B.

Ball, John. (Analysis of his Evidence.)—Poor Law Commissioner of Ireland; has filled the office since October 1851; acted as Assistant Commissioner since June 1849; 3821, 3822——Was for two years and a half previously Inspector under the Poor Law Board, 3823——Witness's attention has been turned to the treatment of destitute and criminal juveniles, 3824——There is not a large class of destitute and criminal juveniles in Ireland whose trade is crime, but in certain parts of Ireland that class is increasing, 3824–3826 ——Opinion that the class of criminal and destitute juveniles is rapidly increasing in Ireland, 3827–3831——Efforts lately made to improve the discipline in the gaols in Ireland, and introduce a reformatory discipline; this has been successfully carried out to a limited extent, 3832–3834.

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Ball, John. (Analysis of his Evidence)—*continued.*

The large number of prisoners in confinement since the famine is one great obstacle to the introduction of any large scale of the separate system into the gaols, 3835, 3836——The introduction of moral and religious training is the principal means by which permanent reformation can be hoped to be obtained; at present the remuneration of chaplains of gaols in Ireland is not sufficient to enable them to devote their exclusive attention to the prisoners, 3837-3840——Impossibility of carrying out a system of reforming young criminals who are only committed for short periods; this difficulty is dwelt upon in the reports of the Inspectors-general of Prisons in Ireland, 3841.

In certain parts of Ireland a number of juveniles vibrate between the workhouses and the gaols; on the admission of prisoners discharged from gaol into the workhouses they are not permitted to associate with the other children, 3843-3846——The present number of destitute juveniles under fifteen years of age in the whole of Ireland is a little over or under 83,000; 3847. 3909-3915. 3931-3935——A large proportion of the destitute juveniles in Ireland are permanently resident in the workhouses, 3848, 3849——Injurious consequences to the younger inmates of the workhouses have resulted from the admittance of the criminal part of the population into the workhouses. 3850-3854. 3876——Opinion that in general the education in the workhouse schools in Ireland, although very imperfect industrially, is tolerably satisfactory, 3850, 3851.

Cases do occur of crimes being committed by persons who are unable to obtain relief, with the object of getting admission to gaols; since the diminution in the number of workhouse inmates, and the greater accommodation at the disposal of the guardians, such cases have become more rare, 3855——Frequency of destitute persons being committed to gaol for trivial causes, so as to bring their support chargeable on the county rate instead of upon the ratepayers of the electoral district, as would be the case were they sent to the workhouse, 3856, 3857. 3921——Suggestion that the cost of maintenance of prisoners guilty of less serious crimes should be localized instead of being charged upon the general rates, 3858-3860——Serious objections to undertaking a system of reformatory education for juvenile criminals in connexion with the workhouses in Ireland, 3861-3864.

Opinion that the reformation of juvenile criminals should be undertaken in completely separate institutions for that exclusive purpose, 3863. 3950——Evidence with respect to the establishment of such reformatory institutions; mode of treatment to which destitute criminal juveniles should be subjected therein, 3865-3870. 3923-3925——In the great majority of cases in Ireland it is destitution chiefly that leads to the commission of juvenile crimes, 3871-3875——Progress lately made in the improvement of the workhouse education, particularly with respect to industrial training, and results thereof, 3877-3883——The great obstacle to establishing agricultural schools in connexion with the workhouses in Ireland is the great expense necessarily incurred for the efficient management of such establishments, 3880-3883.

Feeding schools similar to those which have been established in Aberdeen are not suitable to Ireland, 3884-3886——With regard to the period of detention of juvenile criminals in the reformatory institutions, a very large discretion ought to be vested in the executive; they should be detained until they reach a certain age, irrespective of the period for which imprisonment was awarded, 3887-3891. 3928-3930——It would not be correct to say that the education given in the workhouse schools in Ireland was universally or even very generally sufficient to fit the children hereafter to earn their own livelihood, 3900, 3901.

Suggestions for enforcing the liability on the part of parents to contribute towards the support of their children whilst in the reformatory institutions, 3902-3908. 3944, 3945——Evidence relative to the agricultural schools in Ireland; manner in which established and supported, &c., 3916-3918——With respect to these schools witness would recommend a certain amount of assistance to be given to the guardians where they are disposed to adopt them, as also a more stringent system of control than that which they are at present able to enforce, 3919——Alteration of the dietary tables of the gaols in Ireland; the present dietary is very nearly assimilated to the workhouse dietary, 3920.

The change has operated very much in the way of preventing the reckless and criminal class from seeking admission to gaol, by committing offences, rather than the workhouse, 3921——The erection and maintenance of penal schools for the reformation of criminal juveniles will have a good effect in Ireland, where industrial training takes place, 3922——Witness would not be in favour of local committees for the management of the penal schools, but would place them under the control of the Board of National Education, 3923——It would be desirable if the law were altered so as to recognize and regulate in some degree the power of guardians to give an outfit to young persons who go out to service, 3925.

The inmates of the penal reformatory schools should be persons either committed by the magistrates for criminal offences, or sent by the guardians for refractory conduct or serious offences against the workhouse discipline, 3926, 3927——Supposing penal reformatory schools are established, there may be some young persons whom it would not be

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Ball, John. (Analysis of his Evidence)—*continued.*

be desirable to admit into those establishments, 3936–3938——In the event of the establishment of penal reformatory schools, the destitute children not sent to those institutions would obtain their education in the workhouse schools, 3939–3943. 3946–3950.

[Second Examination.]—In the present state of the law of Ireland persons of all ages are liable and are continually sent to a very considerable distance for trial, 4177——Many cases of hardship arise from parties being thus removed from their own district for trial, 4177——It would be very desirable that persons guilty of slight offences, or whose term of imprisonment did not exceed a moderate period, should be necessarily, by a provision of the law to that effect, conveyed back at the expense of the county to the place from whence they came, 4177.

Baly, Dr. Extract from evidence given by Dr. Baly before the House of Lords, showing the exciteable state of boys from thirteen to sixteen years old, when they reflect little but feel intensely, *Carpenter* 819.

Begging. Opinion that there ought to be some power whereby street begging could be put down; that is, a power similar to that which has been exercised at Aberdeen, *Locke* 3353–3363——Recommendation that all children found begging in the streets should be sent to an ordinary Ragged School, where they should be managed upon the Aberdeen system, the expense of their maintenance being defrayed by the parish in which the offence was committed, *Oliphant* 3669-3688.

See also *Aberdeen Industrial Feeding Schools,* 1.

Belgium. Mode of dealing with children in Belgium who have committed felony, *Paynter* 732–735.——*See* also *Aix Institution.* *Rhuysselede Institution* (*Belgium*).

Berlin Reformatory Institution. See *Continent,* The.

Betting Houses. Evidence respecting the low betting houses, and suggestions for remedying the evils resulting therefrom, *Adams* 1831–1835; *Oliphant* 3664, 3665——Witness sees no reason why they should not be put exactly in the same position as gaming houses, *Oliphant* 3664, 3665.

Birmingham. Duty of witness as recorder of Birmingham to try a great though decreasing number of prisoners, *Hill* 373——About six sessions are annually held by witness, and about 300 prisoners tried thereat, *ib.* 374, 375——High average of boys amongst these prisoners, *ib.* 376–378——Result of conference on juvenile delinquency, Birmingham, 1851, *App.* 443——Charge delivered by Matthew Davenport Hill, recorder of Birmingham, to the grand jury of the Borough, at the Quarter Sessions, held on Friday, July 5, 1839; *ib.* 455——Report of a charge delivered to the grand jury of the borough of Birmingham, at the Michaelmas Quarter Sessions for 1848, by the recorder, *ib.* 458.——*See* also *Reformatory Establishments,* 1. *Treatment of Juveniles.*

Bristol. Reference to the schools in Bristol generally; opinion that the St. James's Back School would be a fair type of the Industrial Free School, provided it had Government aid, *Carpenter* 1015–1019——System pursued by Mr. Quegget at the school in Bristol, as to the admission of criminal children, *ib.* 1075, 1076.

See also *James's, St., Back School* (*Bristol*). *Labouring Classes.*

Brook Street Industrial School:

1. *Evidence as to the Formation of this School by Mr. Ellis.*
2. *Mode of Treatment pursued therein, and Benefits arising therefrom.*

1. *Evidence as to the Formation of this School by Mr. Ellis:*

Evidence on the Brook-street Industrial School, London, as illustrating the best principles of the reformatory system, *Power* 1127–1142——Origin and development of this school in 1848 to be ascribed partly to the boys themselves, *ib.* 1129, 1130. 1134——Reference to Mr. Ellis, the master of this school, the establishment of which was a voluntary effort on his part, *ib.* 1131–1134. 1138–1140——The Brook-street School was founded for the sake of demonstrating that a London thief could be reformed; great success of the experiment, *ib.* 1276–1279——Witness is conductor of the industrial class of the Brook-street School, *Ellis* 1702–1704——Origin of witness's class at the Brook-street School, *ib.* 1705–1707. 1709, 1710. 1714, 1715. 1791, 1792.

Discouragement met with by witness in his first attempts at juvenile reformation, *Ellis* 1721. 1724. 1731–1733. 1782–1785 ——Opposition offered to witness's scheme by Sir Peter Laurie, who said he would walk twenty miles to see a reformed thief, *ib.* 1788–1790——Manner in which witness's school increased from three to fifteen; some were induced to come by the first three boys, and a few came out of curiosity, but were won over by kind treatment; these latter were of the most criminal class, *ib.* 1792–1794 ——Ont of 150 children at the Brook-street Ragged School about one-third were crimiual; opinion of witness that he could have reformed all these in a school conducted on his principle, *ib.* 1798, 1799. 1801, 1802.

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Brook Street Industrial School—continued.

2. *Mode of Treatment pursued therein, and Benefits arising therefrom:*

General information with regard to the boys in this school; instances of their reformation and subsequent good conduct, *Power* 1135, 1136. 1140–1142——Ages of the different boys under the management of witness, *Ellis* 1708–1710——Evidence as to the training and general treatment pursued at the Brook-street School, *ib.* 1711. 1715, 1716. 1718–1720. 1722–1724. 1728, 1729. 1792–1795. 1806–1810——Pleasure felt by the boys in shoemaking, as taught them by witness, *ib.* 1711——The worst lads, under witness's treatment, have been the best scholars, *ib.* 1719——Possibility of these boys relapsing into crime, if removed from witness's superintendence, *ib.* 1722.

Periods for which the boys have been under the superintendence of witness and living in his house, *Ellis* 1723, 1724——Class and character of the children at the school, *ib.* 1725. 1799——Manner in which witness's boys are treated by their former comrades; the latter are frequently reformed by a renewed intercourse with the former, *ib.* 1728, 1729——Time necessary for the boys to enter fully into the system pursued by witness, *ib.* 1795–1797——General system of rewards and punishments suggested and adopted by witness, *ib.* 1805–1810——There could be no better place to reform a juvenile offender than Mr. Ellis's establishment; illustration of this in the case of witness, whose reformation is entirely due to the kindness and moral training he received from Mr. Ellis, *M——*, 2183–2191. 2253, 2254——When witness's apprenticeship with Mr. Ellis is over he has every chance of getting work as a bootmaker, which is the trade he has learnt; if boys generally had similar opportunities of acquiring any trade, they would not resort to dishonest practices as a means of livelihood, *ib.* 2281–2285. 2288–2291.

Bunsen, George. (Analysis of his Evidence.)—Son of his Excellency Chevalier Bunsen, Ambassador from the Court of Prussia, 1392——Opportunities of witness for understanding the reformatory system on the continent, 1393. 1396, 1397——The first reformatory establishment was that at Dusaltave, on the Rhine, founded by Count Von Derrick in 1822; class of persons sometimes sent there, 1394. 1419——The next two mentioned by witness are the institution at Burgenne, near Basle, founded in 1820, and the Berlin Institution founded in 1825; 1394——The most important establishment of the kind is the Rauhe Haus, near Hamburg, founded by Dr. Wichern in 1835, and still superintended by him, 1394——Great increase of these institutions in Germany since 1848; 1394. 1433.

General outline of the Rauhe Haus Reformatory, which contains at present 100 children, two-thirds boys, and one-third girls, 1398. 1409, 1410——These children are chiefly of the criminal class, 1398 *et seq.*——Manner of classifying these children into families of from twelve to sixteen in number, and in different cottages; success of this principle, 1398. 1431——Principle of employing pupil teachers from twenty to thirty years old, who afterwards are very valuable as superintendents of reformatory institutions, 1398. 1404——Further objects for which these pupil teachers are serviceable after a system of training, 1398, 1399. 1404. 1436——The Rauhe Haus establishment is a rural one, and the labour chiefly agricultural, 1399——Trades are also taught, 1399. 1429, 1430——The education is principally of a religious nature, 1399——Success of this institution; out of 200 who have left it, only ten or twelve have come in contact with the police, 1399, 1400——Most of the children are apprenticed in Hamburg, which is only two miles off, 1400-1404.

The Rauhe Haus establishment was founded, and has been since supported, by private subscription, 1404——There is no limitation with regard to the age of the children received, 1405——The admittance of girls is of great service; evidence generally respecting these girls, 1405–1408——How far there is any restraint practised, 1411——Information relative to the staff or superintendence employed, 1411. 1414. 1431, 1432——Expenses of the Rauhe Haus institution, 1412, 1413——Routine of daily work devolving on a boy, 1414——Nature of the punishment put in force by Dr. Wichern, 1415. 1421–1426——Manner in which the children are received from their parents, 1417–1419——Reference to the escapes made from the Rauhe Haus and Dusaltave institutions, 1420–1423. 1434——Time generally necessary for the reformation of boys and girls under Dr. Wichern's system at the Rauhe Haus Reformatory, 1427, 1428——Success of this institution attributed to the qualifications of Dr. Wichern in superintending it, 1431, 1432——Salutary effect of the Rauhe Haus institution in diminishing juvenile delinquency in Hamburg, 1437.

[Second Examination.]—Diminution of juvenile crime in Hamburg, 1439——Comparison of the systems practised at the Rauhe Haus and at Mettray, 1440. 1445. 1453——How far the practice at Mettray of having so large a number as 150 in the so-called family houses is advisable, 1440——Another drawback at Mettray is in keeping the children only so long as the sentence lasts, 1440——At the Rauhe Haus institution the child is kept till the reformatory treatment has had a due effect on the mind, 1440——Advantage of the Rauhe Haus, as well as of Mettray, in its being a training as well as a reformatory establishment, 1440.

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Bunsen, George. (Analysis of his Evidence)—*continued.*

Further reference to the pupil teachers or trained masters; extract from a work by Mr. Fletcher, bearing upon this subject, 1440. 1442–1444——The system of education at Rauhe Haus, and similar establishments, is entirely of a Protestant character, 1440. 1527–1530——Opinion that twelve boys in a family, as at the Rauhe Haus, is preferable to forty, as at Mettray, 1445. 1518——Evidence relative to the superintendence, 1446–1448. 1522. 1524, 1525——Manner in which the pupil teachers or brothers at the Rauhe Haus are remunerated; how far these brothers can be obtained out of the institution itself, 1449–1451. 1514——Further evidence as to the respective results of the Rauhe Haus and Mettray Reformatory Institutions, 1452–1459.

Punishment to which children were subjected by law before the introduction of these institutions into Prussia, 1460–1468——The law as it existed gave the police magistrate the discretionary power of sending children to reformatory establishments, 1469, 1470 ——Evidence relative to the light in which children are sent to these institutions; in case of desertion they are still under the surveillance of the law, 1471–1476——How far children are received into the Dusaltave and the Rauhe Haus institutions without the consent of their parents, 1477–1480.

Evidence on the subject of parents sending their children, though not criminal, to these establishments for protection, 1481–1483. 1486, 1487 —— During the year 1851, 216 applications were received to this effect, to meet which another building is proposed, 1483-1486——Explanations relative to the respective nature and system of the National Primary Schools and of the Reformatory Schools in Prussia, 1488, 1499 *et seq.*—— Reference to a Government support as necessary for the maintenance of these reformatory establishments, 1504. 1515–1517——Facility of introducing the system at the Rauhe Haus into England, 1505, 1506——Favourable impression formed by witness of the Red Hill Establishment, 1521, 1522.

Burgenne Reformatory Establishment. See *Continent,* The.

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Carpenter, Mary. (Analysis of her Evidence.)—Author of a work called "Reformatory Schools for the Children of the Perishing and Dangerous Classes, and for Juvenile Offenders," 798——Great experience gained by witness during the last seventeen years, as to the condition of the children of the lower classes, 799. 801–803——Opinion that juvenile crime arises from the lowest class, and that neglect and not poverty must be principally provided against, 799——The sanitary condition is one of the incentives to crime, 800 ——There is another inducement in the facilities afforded by pawnbrokers, marine store dealers, and others, for the disposal of stolen goods, 800——Unrestricted access to places of unlawful amusement is another incentive to juvenile crime, 800——Opinion that in Bristol the decreasing intercourse between classes of the labouring population is undeniable, 803.

The lowest class are left by themselves through the removal of the respectable class, and are uninfluenced by the schools intended alike for all the labouring population, 803, 804——Reasons why schools for the labouring classes prove ineffective for the lowest children, 805, 806——Desirability of establishing what are termed Ragged Schools, 806 ——The reasons why Ragged Schools cannot be aided by grants for the national education are set forth in a memorial by the Conference at Birmingham to the Committee of Council on Education, 807–813——Reference to the Government inspection of the Ragged School of St. James's Back, at Bristol, 813, 814——Suggestions for bringing the lowest children under the influence of schools, 815.

About one-third of the children in the St. James's Back School are directly or indirectly of the criminal class, 815, 816. 901, 902—— Opinion that boys convicted of felony or other dishonesty are not morally worse than the generality of children attending the Ragged Schools, 816——Illustration of witness's belief that the lower class, if situated under less unfavourable circumstances, would not be so criminally disposed as at present, 816——Instances of the injurious effect produced upon juvenile offenders by the prison system of reforming them, 816, 817.

Witness attributes much blame to parents who often treat their children with cruelty, and occasionally deny them food, thereby obliging them to steal, 817——Opinion that as a principle of the reformatory process there should first be an entire separation of the child from his evil associates, 818 ——The next point is to place him in such a position that he may have all his good qualities called up, and his will enlisted to co-operate with all those who are trying to reform him, 818-820. 863.

Opinion that the operation of individual action in Reformatory Schools is absolutely necessary, 820. 822. 853–856. 863, *et seq.*; 924. 926——Reasons why the system advocated by witness and others would check juvenile crime more than the present system does, 821——Mode suggested for carrying these Reformatory Schools into practical effect

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effect, 822——Objection to Industrial Feeding Schools, unless there be compulsory action with regard to the parish regulations, 822——Opinion that authority should be given by the Legislature to the magistrate or judge to send juvenile offenders to Reformatory Schools instead of to prison, 823——The parent should supply funds towards the maintenance of his child when in these schools, 823. 828. 831. 850——Government should contribute towards the general expenses of the establishment, 823.

There should be a Government inspection of the schools, 823, 824. 828——Objection to Reformatory Schools being placed under the control of the visiting justices, 831. 844. ——Reference to the recommendations of the Committee of the House of Lords in 1847; objection to the words, "on the principle of Parkhurst Prison," 832, 833——Opinion that the system pursued at Parkhurst is not compatible with the reformatory principle, 833-843——The radical defect of Parkhurst is, that instead of being a school it is a prison, and acts entirely on the principle of compulsion and restraint, 843——Suggestion that the control of these establishments should be (like that of the United States) vested in a board of trustees or managers representing the subscribers, with some members of the local government, 845, 846. 848. 853.

Sources from which funds may be raised for reformatory institutions, 849, 850. 854, 855——How far the parishes should maintain the child if the parent does not, 850-852——Instances of the destitute state of orphans who, on leaving prisons, are thrown loose on society, 850. 852——Religious prejudices existing between Protestants and Roman-catholics, 855——Consideration of the question of religious instruction in these schools, 855. 867-875——Those boys who behave the best in prison act worst when out of it; instance of this fact and explanation of the probable cause, 857-859——How far a boy's character is sooner known in a reformatory than in a prison, 859-862——Explanation of the term "Individual action," 863-865.

Evidence on the subject of religious instruction as regards various sects in the same school, 867. 869-871——How far it is equitable that reformatory institutions containing Protestants and Roman-catholics should be supported by a local rate, 872, 873——Consideration in detail of the question as to the qualification and appointment of masters for these schools, 875-882. 905-909. 914——Mode suggested for making a proper selection of masters, 878-882. 914——Inducements under the reformatory system whereby the boy becomes more happy and contented with his lot than he could at Parkhurst or in any other prison, 883-885——More correctional discipline is necessary for the more hardened criminals, 885-887.

Suggestion for the classification together of boys, whether they be more or less criminal, 888-891. 894-899——Definition of a reformatory school as a place intended for those who have acted without discernment, 895——Benefits arising from a mixture of the sexes under proper discretion, 897——The influence of girls as constituting one of the main features of a home is very essential, 897——Number of scholars at St. James's Back, Bristol, and general information relative to this school, 901-909——Qualifications of the present master of St. James's Back School, 905-909——Reference to the Industrial Feeding Schools, and the fitting children to send there, 910-917——Importance of the Free Day Schools being thoroughly established and properly conducted, 918.

Imprisonment, for the purpose of reform, should never be for less than a year, 919——Difficulty of treating children in reformatory schools in proportion to the different sentences passed upon them by the judge; frequent anomaly of these sentences, 920-923——Witness allows the right of Government to manage these schools, but questions the discretion of their doing so, 924 *et seq.*——Opinion adverse to the establishment of purely Government schools, 925, 926——How far it is likely, that, under Government sanction, benevolent individuals would come forward in the different districts and undertake the management of these schools, 927-931——There need be no change of the law, except of Sir J. Pakington's Act, which sends juvenile offenders to prison instead of to school, as proposed, 932——Probability of raising voluntary contributions sufficient for the requirements of witness's views, 933, 934.

[Second Examination.]—Change suggested by witness in Sir J. Pakington's Act, 935, 936——Children should be treated, under all circumstances, in accordance with the true spirit of the English law, which defines a child as incapable of guiding himself, 935, 936. 967. 986——Objection to that clause of Sir J. Pakington's Act which provides that a child is to be fined 5*l.*, but that in default of such fine he is to be imprisoned, 936. 986——Faults of the present system, whereby the magistrate is obliged to impose upon juvenile offenders a punishment which at the time he knows will not be of any use, 936, 937.

Witness considers that part of the law a mere mockery, whereby children are duly sentenced to transportation, though it is well known such punishment will never take place, 938-940——Testimony of Lord Harrowby that there were two children of six and a half years old in gaol in Staffordshire; he characterizes this as "an abominable state of things," 940-942——Instance of a girl eleven years old being sentenced to a year's solitary confinement for stealing a sovereign, 942-944——Opinion that no practical

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Carpenter, Mary. (Analysis of her Evidence)—*continued.*

tical evil can arise from the association together in the same school of boys whose criminal habits were known to each other previously, 945–947——Witness considers that the failure of Parkhurst is attributable more to a want of moral and industrious training than to a want of education; authority of Mr. Pearson quoted in corroboration of this opinion, 948–950.

Suggestion that agricultural labour should form a large portion of the industrial training in reformatory schools, 951——Injurious effect upon the boy of all mere labour which does not act upon the mind, such as picking oakum, 951——The boys should have some slight remuneration for their labour, 952——A proper restraint and a regular system of work are sufficient punishments for the purposes of reform, 953, 954——One year is the very shortest period necessary for the reformation of a child in these schools, 955——Suggested mode of dealing with the boys when they leave the reformatories, 956–958. 1007–1009——How far the children on leaving these schools are in a better position than the children in the Union Schools, or the children of poor labourers, 959. 963, 964.

Objectionable manner of bringing up children in the Union Schools, 959, 960. 1053, 1054——Preference generally given to the children of industrious labourers before children coming from the union workhouse, 961——These reformatories would eventually be used as a substitute for imprisonment in all cases of juvenile crime; occasional exceptions that might occur to this rule, 965, 966. 969, 970. 972, 973. 975, 976——If a boy proves incorrigible, he should be sent to a prison like Mettray or Parkhurst, 969, 970. 972, 973. 975, 976——Danger of restoring a child on bail to his father, who frequently instigates him to sin; instances in proof of this assertion, 966. 977——Hazard of exposing children, when they seem to be reformed, to any opportunities or temptations to go astray; boys of fourteen or fifteen who act on impulse must not be treated like men, 971. 974——How far it is advisable and possible for the parents of the boy to enter into recognizances for his good behaviour, 977–979.

It is very desirable to make the parish maintain the child in school if the parent cannot do so, 980. 982–985——The parents should, under certain limits, be compelled to contribute towards the support of their children, whether in school or prison, 981, 982——Instance from the "Edinburgh News," of the absurdity of the law in fining two children, aged respectively two and six years, the sum of 1*l.* 6*s.* 10*d.*, or, in default, thirty days imprisonment, 986, 987——Objection to any forcible detention in the reformatory schools, 988. 992——The smaller the number of boys the better the effect, 989——Suggested mode of dealing with large numbers in these establishments, especially if undertaken by Government, 989, 990. 993.——Desirability of proper scope and inducement being offered by Government for the encouragement of voluntary efforts, 990. 997. 999. 1048, 1049. 1069. 1077. 1092, 1093. 1100.

Nature of the restraint or detention to be allowed by Government in the schools, 991, 992——Slight desire of escape manifested by the boys; instance of this at Westborough, where, out of upwards of 300, only three ran away during a period of three years, 993, 994——A purely Government management is not desirable, 995, 996——Reference to a pamphlet, by Mr. Fletcher, "On the Farm System of the Continent," in which he gives a full account of the reformatory system there, 997, 998——Mode of conducting the religious teaching where the community are much divided into sects, as in Manchester, 999——Object of a certificate from a Government inspector, as approving of the general management of the school, 999, 1000.

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Code Napoleon. By the Code Napoleon no child is considered responsible for his acts till he has attained the age of sixteen, *Williams* 176, 177.

Committals. About 2,020 juvenile criminals under thirteen years of age are committed annually; witness would place thirteen years old as the limit, and would send all children convicted under that age to the reformatory schools, *Power* 1121. 1125, 1126. 1163. 1180——Frequency of destitute persons in Ireland being committed to gaol for trivial causes, so as to bring their support chargeable on the county rate instead of upon the ratepayers of the electoral district, as would be the case were they sent to the workhouse, *Ball* 3856, 3857. 3921.——*See* also *Judges.*

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County Rate. Suggestion of a county rate as a means of supporting reformatory institutions for juvenile offenders, *Williams* 150–152.

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Criminal Law. Evidence showing the inconsistency and anomaly of part of the criminal law, *Paynter* 689–692——Illustration of this with regard to whipping, *ib.*——Great disgust felt by the public and the juries themselves at the state of our criminal jurisprudence, by which from 30 to 40 children, at ages varying from 10 to 13, used daily to be tried and sentenced at the quarter sessions, *Adams* 1818——State of the English law respecting children under seven years old, and children from seven to fourteen years old, *ib.* 1822——With regard to the draft of a Bill which has been suggested for carrying into effect certain alterations in the existing law relative to young criminals, that Bill was drawn up by several people, but it has been finally revised and completed under legal aid, *Thomson* 3265–3268.——*See* also *Alteration of the Law.*

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Decrease of Crime. How far juvenile crime is on the decrease or otherwise, *Carpenter* 1012–1014——Reference to the Aberdeenshire Reports on juvenile delinquency for 1845, 1848 and 1851, relative to the decrease in the number of young criminals in prison, *Thomson* 3227–3231.

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Desertions. Small number of desertions that have taken place from the establishment at Red Hill, *Turner* 269, 270.——*See* also *Escapes.*

Destitution. Opinion that juvenile criminals seldom suffer from hunger, and that they would never, or very rarely, go to a reforming school for the mere sake of the food, *Hill* 656——How far cases of juvenile destitution should be sent to prison, *Clay* 1698——Reference to the vast numbers of destitute children in London without friends, and without any known means of subsistence, *Adams* 1836–1840——How far it is possible to arrive at a true test of destitution, *ib.* 2027–2030——There are many instances of boys stealing from actual hunger, *M——*, 2370–2373——In the great majority of cases in Ireland, it is destitution chiefly that leads to the commission of juvenile crimes, *Ball* 3871–3875.

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1. *Dietary of Prisons.*
2. *Dietary of Reformatory Institutions.*

1. *Dietary of Prisons:*

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Discharged Children. Suggested mode of dealing with the boys when they leave the reformatories, *Hill* 615; *Carpenter* 956–958. 1007–1009; *Power* 1266–1268. 1371——How far the children, on leaving these schools, are in a better position than the children in the Union schools, or the children of poor labourers, *Carpenter* 959. 963, 964——Experience of witness as to the infection diffused by the discharge of a young criminal from gaol, *Power* 1316, 1317——There is much difficulty in disposing of the children when their time is over in the Ragged Schools in London; the difficulty on this point in Liverpool is considerably less, *Locke* 3420–3423——The only mode of diminishing crime is to have institutions for the reception of juvenile offenders on their discharge from prison for the first offence, where they can be educated and trades taught them, *Wright* 3691–3693.——*See* also *Associates.*

Disease. Diseased state of many of the boys at the age of 14 years, and sometimes when still younger, *Williams* 160–162.

Distress. Opinion that few crimes are committed under the influence of actual want, *Hill* 390, 391.——*See* also *Destitution. Poverty.*

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should be precisely on the plan of Parkhurst; but they might be made a little more stringent and severe, if it were possible, *Jebb* 3982——It is of great importance to have a second place to send juvenile offenders after they have passed a certain time in the district prisons, *ib.* 3986-3988——In the event of the establishment of penal district prisons, Parkhurst might still be kept up for the confinement of incorrigible offenders, *ib.* 4079, 4080. 4086——It is advisable to establish district prisons for juvenile offenders similar in administration to Parkhurst, *ib.* 4132.

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Dublin Industrial Feeding School. Good effect of the Industrial Feeding School in Dublin, *Carpenter* 1001, 1002.

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Dwellings of the Poor. Great influence attributed to the state of the dwellings of the poor as a cause of crime; benefits to be derived from proper sanitary measures, *Hill* 387; *Paynter* 682; *Carpenter* 800——Experience of witness as to the crowded state of the dwellings of the poor; this fertile source of crime is partly attributable to the defective state of the law of settlement, *A'Beckett* 2125 *et seq.*

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Edinburgh. Opinion that at Edinburgh much good has been accomplished through means of industrial feeding schools, *Hill* 410——Statement relative to the diminution of juvenile crime in Edinburgh for the four years ending December 1851, *Locke* 3438-3440.

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1. *Evidence relative to the Education afforded in Prisons.*
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1. *Evidence relative to the Education afforded in Prisons:*

Evidence on the subject of education, as producing but slight effect on the character of boys in the lower ranks of life, *Williams* 180. 182. 184. 186——General evidence upon the course of education practised throughout the prisons, *ib.* 186, 187. 193-201——Amount of education given in the Tothill Fields Prison, *Tracey* 767——Allusion to an original paper by a convict as showing the connexion between education and crime, *Clay* 1685, 1686——How far witness agrees with the plan of the visiting magistrates of Middlesex for giving a correctional education to the children, *Adams* 1850——There are two schoolmasters employed at Parkhurst in giving school instruction, and they alternate in the morning and afternoon, *Spear* 2916——Opinion that the plan of giving intellectual enjoyment to the boys holds out more prospect for the reformation of character than any other plan; encouraging results of this system as pursued at Parkhurst, *ib.* 2966-2972.

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like that now given in the lower class of schools in England, *Power* 1187——Advocacy of the "Mimpress plan" as the most successful and least irksome mode of teaching boys to read, *Clay* 1558——An amelioration of the condition of the poor, and improved education, will eventually produce the best effects, *Adams* 1939——Nature of the education to be given in the schools for juvenile offenders, *ib.* 2021–2025——Though the education in the Aberdeen schools is in some respects of a lower standard than that in the established schools, it is nevertheless much more successful and beneficial in its general results. *Thomson* 3180–3186.

3. *Papers laid before the Committee:*

Statement showing the degrees of instruction among the criminal offenders committed for trial in England and Wales from 1838 to 1847, both inclusive, according to the Returns in the "Tables of Criminal Offenders" published by the Home Office, *App.* 442.

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Ellis, John. (Analysis of his Evidence.)—Shoemaker residing at 117, Albany-street, and conductor of the industrial class of the Brook-street school, 1702–1704——Origin of witness' class at the Brook-street school, 1705–1707. 1709, 1710. 1714, 1715. 1791, 1792——Ages of the different boys under the management of witness, 1708–1710——Evidence as to the training and general treatment pursued at the Brook-street school, 1711. 1715, 1716. 1718. 1720. 1722. 1724. 1728, 1729. 1792, 1793. 1795. 1806–1810——Want of employment is a great cause of crime in boys, 1711. 1781——Pleasure felt by the boys in shoemaking as taught them by witness, 1711——Extract from a work called "The Philosophy of Ragged Schools," by a lady named Cornwallis, showing that kind treatment is sufficient to reclaim all juvenile offenders, 1711, 1712.

Advantage of religious knowledge to the boys, and of making them believe that the eye of God is over all their actions, 1715. 1718. 1720——Custom of witness to associate himself with the boys in every way, 1716——Great effects of a mother's training upon the mind of a boy, 1718——The worst lads, under witness's treatment, have been the best scholars, 1719——Opinion of witness that he could reform any child who could feel, and who possessed a mind to be convinced, 1720. 1729——Discouragement met with by witness in his first attempts at juvenile reformation, 1721. 1724. 1731–1733. 1782–1785——Possibility of these boys relapsing into crime if removed from witness's superintendence, 1722——Periods for which the boys have been under the superintendence of witness, and living in his house, 1723, 1724.

Class and character of the children at the Brook-street school, 1725. 1799——Opinion that the evil propensities of some children are partly hereditary, and must be checked by proper discipline, 1726, 1727——Manner in which witness's boys are treated by their former comrades; the latter are frequently reformed by a renewed intercourse with the former, 1728, 1729——Objections to corporal punishment, 1729, 1730. 1741. 1805, 1806——Reference to prison discipline, and its injurious effects upon boys, 1735–1739. 1753——Mode suggested by witness for treating juvenile offenders, 1740, 1741. 1797. 1805——Opinion that parents could afford to pay towards the maintenance of their criminal children, 1742–1744——How far children would run into crime, or parents encourage them in it, for the sake of their being cared for in the manner suggested by witness, 1745–1749——Age up to which children should be sent to reformatory schools instead of to prison, 1750. 1752. 1767–1773.

Reference to Red-hill, and evidence respecting similar institutions proposed to be established by witness in Norfolk, and at Birmingham and Manchester, 1751, 1752. 1754–1757. 1786——Proposed method of dealing with criminal and destitute children; how far the parents of the latter might object to an association of the two classes, 1758–1762——Great mixture of classes in the Ragged Schools; criminal state of many of these boys, 1763–1766. 1774 1781, 1798, 1799. 1801, 1802——Opposition offered to witness's scheme by Sir Peter Laurie, who said he would walk twenty miles to see a reformed thief, 1788–1790.

Manner in which witness's school increased from three to fifteen; some were induced to come by the first three boys, and a few came out of curiosity, but were won over by kind treatment; these latter were of the most criminal class, 1792–1794——Time necessary for the boys to enter fully into the system pursued by witness, 1795–1797——Out of 150 children at the Brook-street Ragged School, above one-third were criminal; opinion of witness that he could have reformed all these in a school conducted on his principle, 1798, 1799. 1801, 1802——System of rewards and punishments suggested and adopted by witness, 1805–1810.

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1. *Great Advantages would result from providing for the Emigration of Juvenile Criminals after Confinement in Reformatory Schools.*
2. *Evidence as to the Emigration carried out from Parkhurst Prison.*
3. *Observations relative to the Boys sent out by the Philanthropic Society and the Shoe-black Society.*

1. *Great Advantages would result from providing for the Emigration of Juvenile Criminals after Confinement in Reformatory Schools:*

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2. *Evidence as to the Emigration carried out from Parkhurst Prison:*

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3. *Observations relative to the Boys sent out by the Philanthropic Society and the Shoe-black Society:*

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2. *Suggestions with respect to Employment to be provided in the Reformatory Institutions.*

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Gangs of Thieves. Reference to a gang of young thieves at present in progress of formation; these boys are from nine up to sixteen years old, but are led on by older boys who have been frequently convicted; by a system of kind treatment and proper training this gang, and all such boys, might be checked in their vicious career, *M*——— 2292-2299.

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Injurious effect of prison discipline upon the minds of boys, 527, 528. 552, 553——Deceptiveness of considering certain offences as indexes to the moral state of the boy, 529-531——It is more easy to reform one guilty of a malicious offence than one guilty of theft, 531——Further consideration of the subject of parents being taxed for the misconduct of their children, 533. 538-546. 563. 575. 577. 579. 640-655. 658, 659. 663-668——Probable expense of a boy's maintenance at these institutions instanced by reference to the Birmingham School founded by Mr. Grantham Yorke, 534-536——At Mettray the maintenance of a boy amounts to 20*l.* a year, which is reduced to 12*l.* by the value of his labour, which is worth about 8*l.* a year, 537——Impossibility of making the parents responsible in the case of orphans, foundlings, &c., 546.

Poverty is seldom a direct cause of juvenile delinquency, 547-551——Advocacy of industrial schools, instead of places of restraint, as the more fitting to receive juvenile offenders, 552, 553——Opinion that reformatory schools should not be guarded by a wall, like prisons; absence of all physical restraint very desirable, as instanced in the case of the Massachusetts institution, 554——Reference to the advisability of limiting the number received in these schools, 555. 617——Consideration of the question as to the age at which a child should be considered accountable for felony, 556-569——Opinion that a great decline in the number of juvenile offenders would take place from the general adoption of the reformatory principle, 580-582.

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Hill, Matthew Davenport. (Analysis of his Evidence)—*continued.*

Nature of the different schools, and the general system of reform proposed by witness, 583 *et seq.*——Object of the reformatory school, as distinguished from the industrial school and the day school, 586, 587. 590-594——Recommendation of empowering the parent to bring a refractory child into the industrial school, or into the penal reformatory school, as is frequently done in America, 595, 596. 645——Extracts from a work on the Massachusetts State Reformed School, showing the offences for which the boys were undergoing punishment there in November 1850; 597, 598——Reference to the nature of the education suggested by witness as suitable to the different schools proposed by him, 601, 602. 604, 605.

Explanation of the manner in which the teachers are trained for Mettray, 610——Except from the day schools, the children should never return to their parents till their reformation was complete, 612, 613.——Preference given to the ultimate disposal of the children into families, rather than into any other kind of home, 615——Reasons for sending those children who now go into the ragged schools into what may be termed the free schools, 618——Suggestion that orphans, or children not amenable to the law, should, if without all provision, be provided for under the operation of the Poor Law, 619——Contemplated age for the introduction of boys into these reformatory schools, 620——Consideration of the subject of religious instruction, 621. 626-633.

How far the punishment of criminals is considered by themselves and by witness as a payment for the offence committed, 621-625——Slight difficulty apprehended in carrying out a system of religious instruction amongst criminals generally, who for the most part are practically heathens, 631-633——Evidence respecting the provision of funds for maintaining the reformatory schools; advocacy of a voluntary principle of subscription, 634-636——Salutary influence of a Government inspection being extended to the proposed schools, 637——Opinion that juvenile criminals seldom suffer from hunger, and that they would never, or very rarely, go to a reforming school for the mere sake of the food, 656——Impression that education, such as mere reading and writing, has but little, if any, effect in checking a tendency to juvenile delinquency, 660-662——A pamphlet by Mr. Cochin, and another by witness, containing their respective views upon the treatment of juvenile offenders, handed in, 669-671.

Houses of Detention. Suggestion that a house of detention, not to be called a prison, be established for receiving boys who are refractory, *Adams* 1934 *et seq.*——How far there should be any education in these houses of detention, *ib.* 1936——There must be a limit to the number of times that a boy is sent to the proposed house of detention, *ib.* 1937.

I.

Ignorance. Witness attaches no idea of criminality to the great mass of juvenile offenders who do not know right from wrong, *Adams* 1995-1997; *A'Beckett* 2124——Recommendation to make education compulsory, *A'Beckett* 2124——Opinion that the worst class of criminals in this country are not those who are most ignorant, but those who are ill-educated and badly trained; the yearly criminal returns of the Home Office referred to in proof of this opinion, *Symons* 2435-2442——The prisoners that come to Parkhurst seem to have a very obscure perception of right and wrong, and appear to consider that all means of attack upon society are quite justifiable; the influences brought to bear on this state of feeling are partly of a repressing, and partly of an enlightening character, *Hall* 2873-2879——Most of the boys who are sent to Parkhurst are quite uneducated; opinion that the cause of their crime is attributable less to their ignorance in education than to their own vicious dispositions, which deter them from all opportunities for improvement, *ib.* 2881-2883——Evidence generally as to the state of intelligence and instruction of the boys on coming to Parkhurst; they are mostly very ill instructed, and quite ignorant of religion, *Spear* 2983-2988. 3005-3008——The youngest boys are generally the most difficult to manage, *ib.* 2990.

Illegitimate Children. Illegitimate children form a very large class of juvenile offenders in this country, *Hill* 390——Witness would extend the process in a case of bastardy to the parents who had by neglect induced delinquency in their children, *ib.* 492-495.

See also *Parents*, 1.

IMPRISONMENT:

1. *Injurious Effects of Imprisonment upon Children.*
2. *Necessity for the Imprisonment of Children previous to their being sent to Reformatory Institutions.*

1. *Injurious Effects of Imprisonment upon Children:*

Opinion that imprisonment is exceedingly detrimental to a child, *Adams* 1915, 1916. 2001; *MacGregor* 3594——Witness has been twice in prison, but imprisonment was not of

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1. *Injurious Effects of Imprisonment upon Children*—continued.

of the least use, and he was just as hardened after punishment as before, *M*——— 2155 *et seq.*——When witness left prison on the second occasion he committed theft on the same day, *ib.* 2158. 2168-2171——The imprisonment is not much felt by the boys; they have a great dread of transportation, *ib.* 2245-2248——Witness would never send the children to gaol, *Symons* 2411. 2520——Children and adults frequently commit crimes for the purpose of going to gaol; instance of this, *ib.* 2412-2415.

2. *Necessity for the Imprisonment of Children previous to their being sent to Reformatory Institutions:*

Opinion that, under any circumstances, the child should first be sent to prison before going to a reformatory school, *Tracey* 764, 765; *Clay* 1623. 1625-1628——For the purposes of reformation, an imprisonment on a first conviction should never be less than six months, *ib.* 1632——It is very desirable to send juvenile offenders to a prison before their going to a reformatory; reference to the Parkhurst Act clause introduced by witness, chiefly in furtherance of this principle, *Adams* 1854-1862. 1975. 2059-2061——Juveniles should be subject to imprisonment before admission into the reformatory schools, except in cases of extreme youth, *Wright* 3747-3753——The sentence of imprisonment passed on juveniles might be carried out in gaol, and they might then be removed to the reformatory schools, *Jebb* 4086——All juveniles convicted of crimes should go to prison; this is necessary to deter them from the commission of crime, *ib.* 4103-4109.

See also *Ages of Children. Magistrates. Period of Detention. Prison Discipline. Sentences. Short Sentences.*

Incorrigible Offenders. If a boy proves incorrigible, he should be sent to a prison like Mettray or Parkhurst, *Carpenter* 969, 970. 972, 973. 975, 976——Extract from the Parkhurst Act 1 & 2 Vict. c. 82, with reference to incorrigible offenders, *Jebb* 4080-4085.

See also *District Prisons.*

Increase of Crime. Grounds for the opinion that the class of criminal and destitute juveniles is rapidly increasing in Ireland, *Ball* 3827-3831.

See also *Crime. Population.*

Industrial Feeding Schools. Suggestion for the establishment of industrial feeding schools, with compulsory attendance, for that class of boys who practice vagrancy, mendicancy, or petty infringement of the law, *Hill* 405, 406. 466-476——Necessity of food being supplied to these children; illustration of the cheapness with which this may be done, *ib.* 407. 411——Proposal that the funds for supporting these industrial feeding schools be raised through the parents of the boys and through local benevolence, *ib.* 407——Success of such schools at Aberdeen, *ib.* 407-409. 483——Two alterations, namely compulsory contribution from the parents, and compulsory attendance of the children, proposed in the existing law relating to the industrial feeding schools, *ib.* 418.

Objection to industrial feeding schools, unless there be compulsory action with regard to the parish regulations, *Carpenter* 822——Reference to the industrial feeding schools and the proper class of children to send there, *ib.* 910-917——Opinion that feeding schools, similar to those which have been established in Aberdeen, are not suitable to Ireland, *Ball* 3884-3886——No reasonable objection could be made to establishing schools on the Aberdeen plan, to which Government aid should be afforded; there may be difficulties in effecting it, *Jebb* 4014-4016.

See also *Aberdeen Industrial Feeding Schools. Dublin Feeding Schools. Edinburgh. Reformatory Establishments,* 1.

Industrial Schools. Recommendation of free industrial schools on an extensive scale, as receptacles for idle boys, and as a means of checking their progress on the road to crime, *Hill* 401 *et seq.*——Advocacy of industrial schools instead of places of restraint as the more fitting to receive juvenile offenders, *ib.* 552, 553——Detail of witness's plan for carrying out industrial or ragged schools, *Power* 1372 *et seq.*——By means of the proposed system the educational wants of the criminal class would necessarily be provided for, *ib.* 1372, 1373. 1375. 1379. 1389——It is very desirable that industrial training begin as soon as possible, *Clay* 1557.

In the schools contemplated by witness for the lowest class of boys, there should be more moral training, and more hard work and industry than at present, *Symons* 2398——Industrial schools should be situated like those at Aberdeen, where the densest population is, as young children cannot go any great distance to attend schools, *Thomson* 3153, 3154——Opinion that it is quite fatal to the good effect of an industrial school if it contains above sixty or seventy, or at the utmost above 100 children; when there are 200 or 300 together, it is quite impossible for the teachers to exercise the necessary minute superintendence, *ib.* 3196-3199——The present evils might be remedied by sending boys for reformation to a place where they would be able to work, and where they

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they would be paid in exact proportion to their industry, *MacGregor* 3594-3596—— Opinion that industrial training is of very great importance, *Wright* 3735—— With regard to the establishment of industrial training schools, it would be preferable that they should be established in the country, and not in large towns, on account of obtaining out of door employment, *ib.* 3736-3738.

See also *Agricultural Labour. Bristol. Brook-street Industrial School. Employment*, 2. *Free Industrial Schools. Liverpool Industrial School. Parents*, 5. *Parkhurst Prison. Ragged Schools*, 1. *Reformatory Establishments*, 1. *Union Schools. Workhouse Schools. Workhouses*, 1.

Insanity. See *Separate Confinement.*

Inspection of Prisons. Limited power of the inspectors (except witness) in making a selection of boys to be sent from the prison to the Philanthropic Institution, *Williams* 30. 39, 40. 70——Mode of inspection pursued with regard to Parkhurst, *Hall* 2884.

Inspection of Schools. Opinion that there should be a Government inspection of the schools, *Hill* 637; *Carpenter* 823, 824. 828; *Power* 1188, 1189; *Thomson* 3238—— Reference to the Government inspection of the ragged school of St. James's Back at Bristol, *Carpenter* 813, 814——Object of a certificate from a Government inspector, as approving of the general management of the school, *ib.* 999, 1000——Witness has no objection to Government inspection of ragged schools, *Locke* 3353, 3354——The reformatory schools should be open to Government inspection, but witness would leave them under the immediate superintendence of the local authorities, *Jebb* 4138.

Ipswich. Analysis of a return showing the number of juvenile offenders tried at Ipswich, and the result of the present system, *Power* 1327-1330.

Ipswich Reformatory Institution. General evidence on the Reformatory Institution at Ipswich, originated by witness for the purpose of receiving juvenile offenders on leaving gaol, *Power* 1114. 1143-1156——Principle pursued at the Ipswich Reformatory of building up a character in the minds of the boys which would afterwards enable them to resist temptation, *ib.* 1145. 1156——General success of this establishment, *ib.* 1147-1151——There were eight boys and two girls at the Ipswich Institution, with a staff of a man and his wife to superintend them, *ib.* 1150. 1153——Reference to the want of funds, through which the establishment has ceased to exist, *ib.* 1152-1154——Great liberty allowed to the children, who could go in and out whenever they pleased, *ib.* 1156.

Ireland. There is not a large class of destitute and criminal juveniles in Ireland whose trade is crime; but in certain parts of Ireland that class is increasing, *Ball* 3824-3826—— The present number of destitute juveniles under fifteen years of age in the whole of Ireland is a little over or under 83,000, *ib.* 3847. 3909-3915. 3931-3935.

See also *Agricultural Schools. Committals. Destitution. Increase of Crime. Industrial Feeding Schools. Penal Schools*, 1. *Workhouse Schools.*

Irish Offenders. Increase of Irish offenders in Preston gaol of late years, *Clay* 1689-1697.

J.

James's, St., Back School (Bristol). General information relative to the St. James's Back School, Bristol; number of scholars, &c., *Carpenter* 815. 901-909——About one-third of the children in the St. James's Back School are directly or indirectly of the criminal class, *ib.* 815, 816. 901, 902——Qualifications of the present master of St. James's Back School, *ib.* 905-909——Objection of parents to send their children to the St. James's Back School, *ib.* 1031, 1032.——*See* also *Bristol.*

Jebb, Lieutenant-colonel, R.E. (Analysis of his Evidence.)—Surveyor-general of prisons, and chairman of the Directors of Convict Prisons, 3951——Was appointed one of the visitors for the management of Parkhurst prison on its first opening, about 1837; 3952, 3953——The system of discipline at Parkhurst underwent some considerable changes in 1851; result thereof, 3954-3656——The regulations with respect to the discipline of Parkhurst are laid down and approved by the Secretary of State; copy of the rules and regulations of the prison, 3957, 3958——The general principle upon which the system of discipline at Parkhurst is now based, is a close approximation to a strict industrial school, 3959.

Parkhurst prison is confined exclusively to juvenile offenders under sentence of transportation; reason of its being confined to this class, 3960-3964——The general result of the change of discipline of Parkhurst has been very favourable, 3965, 3966——Favourable reports received from the colonies as to the conduct of the boys sent out from Parkhurst; extracts from various reports of the governors of colonies to this effect, 3967-3974.

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Jebb, Lieut.-colonel, R. E. (Analysis of his Evidence)—*continued.*

3974. 4153-4155——Witness's attention has been very much turned to the subject of treatment of juvenile offenders; was consulted by Sir James Graham, in 1845, upon the subject, 3975-3978.

Suggestion for the formation of district prisons expressly for juvenile offenders, and that the whole treatment of that class, with a view to their reformation, should be carried on in those establishments, 3979-3985——These establishments should be precisely on the plan of Parkhurst, 3982. 3996-3998——It is of great importance to have a second place to send juvenile offenders, after they have passed a certain time in the district prisons, 3986-3988——It is impossible to take a simple view of dealing with crime; it wants a more comprehensive view of the whole question, 3988.

Observations with respect to what should be done with the class from which the juvenile criminals come, 3988——Opinion that the class who are below the class that are reached by the national schools have a very great claim upon the Government for assistance; they have greater claims than those who are in more independent circumstances, 3988——To effect this the liberal aid of Government should be extended to the support of Ragged Schools; it is impossible for private efforts to cope with the evil as it now stands, 3988-3990——With regard to the management of penal establishments, they should be exclusively under the control of Government, just the same as Parkhurst is; with regard to reformatory schools, they should be under Government inspection, 3991. 3994, 3995.

With regard to the sentences passed on juvenile criminals, the Secretary of State should have power to commute sentences of transportation, and lengthened imprisonment, to a certain term in the penal schools, 3992, 3993——Witness cannot suggest any improvement in the system of discipline at Parkhurst, 3997——The reformatory schools should have a milder kind of discipline than that enforced in the penal establishments, but industrial training is of equal importance in these schools, 3999-4002——With a view to a probationary term, a period of separate confinement is necessary for the boys, 4003.

Suggestions as to the mode of disposing of boys when they are finally discharged from the proposed reformatory and penal establishments; emigration is the main element, 4004-4007——Remarks relative to the feeding schools at Aberdeen; the results have been extremely beneficial, 4008-4013——No reasonable objection could be made to establishing schools on the Aberdeen plan, to which Government aid should be afforded, 4014-4016——Number to which the inmates of the proposed penal establishments should be limited, 4017, 4018. 4053, 4054.

Observations as to the most available employment to be adopted in the penal and reformatory establishments; agriculture being unquestionably the best kind of employment, it is desirable that the institutions should be established in country situations, 4019-4022. 4049-4052——Remarks relative to the French establishment at Mettray; how far the discipline of this establishment would be applicable to penal and reformatory institutions in this country, 4023-4026——Enforcing the liability on the part of parents to the maintenance of children in reformatory institutions would be right in principle, but there would be difficulty in enforcing it, 4027-4029.

Opinion in favour of making the districts to which destitute juveniles belong responsible for the expense of their maintenance in the reformatory institutions, 4030-4032——The establishment of penal and reformatory institutions would be a very considerable expense, but that might be made up to the public by a diminution of expense in criminal proceedings and the prevention and punishment of crime, 4033-4036——It would be advisable to rely upon the aid of benevolent persons with regard to the reformatory schools, and to enlist their active co-operation with Government, 4037-4039——With regard to the regulations of the proposed penal and reformatory institutions, they should be under the superintendence of some central authority, like the Secretary of State for the Home Department, 4040-4046. 4068.

Witness does not approve of the suggestion for having better qualified and educated persons as warders in Parkhurst, 4046, 4047. 4075——There would be no difficulty whatever in combining industrial occupation with education in the reformatory schools, 4049-4052——The recognition, on the part of Government, of schools lower than that which the Government grant at present reaches would stimulate benevolent persons to devise the means of establishing such places, 4055, 4056——Ragged schools should be placed upon an equality with the Union Schools, as to Government aid; both classes are equally destitute, 4057-4061.

Witness has no hesitation in saying that the majority of the children sent from Parkhurst to the colonies have turned out well, 4064——The alterations lately made in the elements of discipline and instruction at Parkhurst have had a good effect, 4065-4067——Most of the officers of Parkhurst prison are military men; witness would prefer retaining the same description of persons as officers to having regularly trained masters, 4069-4075——Necessity for all juveniles convicted passing a certain time in separate confinement;

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Jebb, Lieut.-colonel, R.E. (Analysis of his Evidence)—*continued.*

confinement; the means for carrying out separate confinement might be attached to each district penal prison, just as it is at Parkhurst, 4076-4078.

In the event of the establishment of penal district prisons, Parkhurst might still be kept up for the confinement of incorrigible offenders, 4079, 4080. 4086——Extract from the Parkhurst Act, 1 & 2 Vict. c. 82, with reference to incorrigible offenders, 4080-4085——The sentence of imprisonment passed on juveniles might be carried out in gaol, and they might then be removed to the reformatory schools, 4086——Importance of juveniles being kept in separate confinement in gaols previous to trial; a large proportion of the prisons have been improved so as to carry out this system, 4087-4097——Juveniles under the age of fifteen should not be subjected to sentences of transportation, but as to imprisonment, twelve or even lower might be adopted, 4097.

The process of reformation cannot be so effectually carried out in prisons as in reformatory schools; still criminals should be subject to imprisonment, and made to feel they are under punishment for crimes committed, 4098-4100——Necessity for a broad distinction being drawn between poverty and crime in any schools established for destitute juveniles, 4101-4109——A discretionary power of sending juveniles tried for a first offence to the reformatory school without sending them to prison would be advantageous, 4101-4103——All juveniles convicted of crimes should go to prison, 4103-4109——It is impossible to lay down any positive rule with respect to the period of detention of juveniles in the proposed district prisons; they should be detained as long as necessary for their reformation, 4110-4112.

Explanation with respect to the proposed establishment of penal district schools; their establishment, accommodation, and the class of juvenile offenders to be confined therein, 4113-4121. 4133, 4134——Evidence relative to the proposed reformatory schools, and the class of juveniles to be admitted; it would be a great object to keep these children until they were otherwise disposed of, 4122, 4123. 4135-4139——The children should be released from the penal schools for good conduct, their sentences being commuted to a certain residence in the reformatory schools, 4127——Kind treatment with the poor is more likely to tend to their reformation than compelling them; the whole discipline of Parkhurst is based upon that, 4131.

It is advisable to establish district prisons for juvenile offenders similar in administration to Parkhurst, 4132——The reformatory schools should be open to Government inspection, but witness would leave them under the immediate superintendence of the local authorities, 4138——With regard to those boys who may be committed for a certain time in a reformatory establishment, it would be necessary that they should be lodged, 4140-4142——These school dormitories might be left to voluntary efforts aided by Government, and under a certain amount of inspection of the State, 4142——With regard to first convictions witness would attempt to deter from crime by means at the discretion of the magistrate; if imprisonment is adopted, it should commence with a probationary trial of solitary confinement, 4143-4146.

Opinion in favour of corporal punishment, accompanied by solitary confinement, 4147-4150——As a deterring element the dietary should be as spare as is consistent with the preservation of health, 4151——Upon second conviction witness would set aside all hope of deterring them, and set to work to reform them, 4152——Great difficulty in defining at what age juvenile offenders should be subjected to punishment and imprisonment for their crimes; witness would advocate a discretionary power being left with magistrates to overlook offences, and send the children to a pauper school instead of a penal school, 4156-4159.

As a general rule, there is not a suitable system of discipline adopted in the prisons; the attempts at reformation have failed from the short periods of the sentences, 4160-4162——The best mode of deterring juveniles from the commission of crime is a short, sharp, stinging punishment in prison for the first offence, 4161-4164——In cases where there is no chance of deterring juveniles from the commission of crime, they should be committed at once for a very long period to a penal school; the strict discipline of a penal school carried out for a long time would be likely to subdue the character of boys under such circumstances, 4165-4167——The discipline of Parkhurst is almost entirely in association, and such as enables them to resist temptation on their being sent into the world again, 4168, 4169.

The Philanthropic Asylum would be a most excellent model for the second class of schools alluded to by witness, that is to say, for paupers or the lowest class of society, 4169——In the event of the penal and reformatory institutions being made rather to have the character of schools than of prisons, it might have the effect of tempting parents to encourage their children to commit crime, in order to obtain the advantages resulting from admission into those establishments, 4170-4173.

Judges. Recommendation that authority be given by the Legislature to the magistrate or judge to send juvenile offenders to reformatory schools instead of to prison, *Hill* 510-516. 591. 594. 644. 664-668; *Carpenter* 823; *Adams* 1883-1885. 1888-1890. 1923-1928. 1985; *Jebb* 4101-4103——Distinction to be made between magistrates and courts of quarters sessions, *Adams* 1924-1926.

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Juvenile Offenders:

1. *Generally.*
2. *Papers laid before the Committee.*

1. *Generally:*

Grounds for concluding that the number of criminal offenders is much greater than is implied by the statistical tables on the subject, *Hill* 385——Reference to a "Report of the Committee of Middlesex Magistrates appointed on the 9th of April 1846," &c., concerning juvenile delinquency, *Adams* 2045, 2046——Reference to the case of children who may be charged with no definite crime, but who lead an idle and vicious life; witness totally differs with Mr. Hill on this point, *ib.* 2057, 2058——The young thieves of London are generally collected together in gangs, and there is always a leader or captain, to each band; rivalry existing between different gangs as to which should possess the most expert hands at thieving, *M——* 2175-2179——Examination relative to the general history of witness before he entered Mr. Ellis's establishment; depraved character of the neighbourhood in which he lived; uncomfortable nature of his home, *ib.* 2214 *et seq.*——Evidence relative to the circumstance of witness leaving Mr. Ellis and going to America, where he remained only three weeks, and then returned from want of employment, *ib.* 2261-2280. 2286, 2287——Witness will be twenty-one years old next birthday, and was seventeen when first taken up for stealing; general outline of his career during that period, *ib.* 2317 *et seq.*

2. *Papers laid before the Committee:*

Number and ages of juvenile offenders undergoing sentence on 1st November 1851; statistical table and return by witness, read, showing the number, age, and education of juvenile criminals committed over certain periods of time, *Williams* 181——Table exhibiting the sentences to transportation and imprisonment of the total number of male offenders under seventeen years of age, convicted at assizes and sessions, and those also convicted and imprisoned under summary jurisdiction in England and Wales, in the years 1849 and 1850, *ib.*——Table exhibiting the number of male offenders under seventeen years of age committed for trial at assizes and sessions and those convicted summarily, in each year, from 1841 to 1850 inclusive, with their educational knowledge at the period of their committals, *ib.*

K.

Knellar Hall Training School. Report of Captain Williams, inspector of prisons, on Minute of Committee of Council on Education, relative to establishment of model schools for juvenile criminals and paupers in connexion with the training school for masters at Knellar Hall, *App.* 383.

L.

Labouring Classes. Opinion that in Bristol the decreasing intercourse between classes of the labouring population is undeniable, *Carpenter* 803——The lowest class are left by themselves through the removal of the respectable class, and are uninfluenced by the schools intended alike for all the labouring population, *ib.* 803, 804——Reasons why schools for the labouring classes prove ineffective for the lowest children, *ib.* 805, 806.

Liverpool. Prevalence of juvenile delinquency in Liverpool, and suggestions of witness in 1841 on the subject, *Williams* 5 *et seq.*——Extract from the Sixth Report of the Inspectors of Prisons, Northern and Eastern District, 1841, as to Juvenile Delinquency in Liverpool, *App.* 406.——*See* also *Ragged Schools*, 1.

Liverpool Industrial School. Remarks relative to the industrial school at Liverpool; approval of the principle of that school, *Wright* 3727, 3728. 3732-3734.

Local Rates. How far it is equitable that reformatory institutions containing Protestants and Roman-catholics should be supported by a local rate, *Carpenter* 872, 873——Remarks relative to the proposal for supporting reformatory institutions out of the local rates, *MacGregor* 3606-3612——Rates should be levied on all districts for the maintenance of juvenile offenders whilst confined in the reformatory institutions; manner in which witness would carry out the proposal of district responsibility, *ib.* 3618-3627.

See also *Cost of Maintenance. County Rate. Reformatory Establishments.*

Locke, William. (Analysis of his Evidence.)—Has been honorary secretary of the Ragged School Union since its establishment in 1844; 3269, 3270——Ragged Schools in London originated long before that period; foundation of the Ragged School Union by witness and some friends, who were engaged in Sabbath school teaching, 3271-3274——Since the first establishment of the Ragged School Union, the schools have increased from 16 to 110; the voluntary teachers from 200 to 600, exclusive of 200 paid teachers, who

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Locke, William. (Analysis of his Evidence)—*continued.*

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6. *How far, in the Event of the Establishment of Reformatories, there is any Danger of Parents encouraging their Children in Crime, with a View of getting them admitted.*

1. *Generally:*

Frequent interference of parents to prevent their children being sent abroad, *Williams* 142, 144——Impossibility of making the parents responsible in the case of orphans, foundlings, &c., *Hill* 546——Second marriages are a source of juvenile delinquency, *Adams* 1825——Reference to the proposition for abrogating the right of a parent over his child after repeated convictions, *ib.* 1988——The parents of children who have been reformed and placed in employment by witness's means have shown great gratitude for the efforts towards their children; witness's exertions are fully appreciated by the labouring population, *Wright* 3809-3812.

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2. *Opinion that the Neglect of Parents is one great Cause of Juvenile Delinquency:*

Opinion that juvenile delinquency is mainly attributable to parental brutality and the absence of all parental control, *Carpenter* 817; *Clay* 1537, 1538. 1542 *et seq.* 1557, 1564. 1590. 1618; *Adams* 1960; *A'Beckett* 2069, 2091; *Spear* 2973-2979. 3003, 3004; *Wright* 3691. 3805-3808——Reference to the annual prison reports drawn up by witness as illustrating the want of parental restraint, *Clay* 1538-1542. 1544-1546. 1554——Indifference on the part of parents to the demoralizing amusements of their children, *ib.* 1543-1547——Case of two boys driven into crime by the drunkenness and ill-treatment of their parents, *ib.* 1551, 1552——Reference to the narrative of a convict, as containing a true description of a working man's home when all order and religion are absent from it, *ib.* 1552-1554——Great effects of a mother's training upon the mind of a boy, *Ellis* 1718——Narrative of a convict in the Preston House of Correction, with a few remarks by the Rev. John Clay, B.D., chaplain to the prison, *App.* 429.

3. *Observations as to the Frequency of Parents instigating their Children to commit Thefts:*

Danger of restoring a child on bail to his father, who frequently instigates him to sin; instances in proof of this assertion, *Carpenter* 966. 977——Instances have occurred where the parent instigates his child to sin, *A'Beckett* 2078–2080; *M———* 2212.

4. *Remarks with respect to making Parents responsible for the Conduct of their Children:*

Reference to the policy of making parents responsible for their children's conduct; clause relating to this subject, from a Bill drawn up by witness, read, *Williams* 171——Suggestion for making parents responsible for their children's conduct, *Turner* 362; *Paynter* 717-720——How far it is advisable and possible for the parents of the boy to to enter into recognizances for his good behaviour, *Carpenter* 977–979——Uselessness of making a parent enter into recognizances for the good behaviour of his child, *Power* 1163; *Adams* 1909. 2031–2035. 2037-2039——Suggestion that some responsibility legally enforced be thrown upon the parents, *A'Beckett* 2069 *et seq.*

5. *Suggestion for making Parents liable for the Support of their Children whilst in Gaol or in the Reformatories:*

Opinion that during the time of reformation the expense of the boy's maintenance should fall upon the parents; means of enforcing this payment, *Hill* 501, 502. 533–546. 563. 575–579. 640–668; *Carpenter* 823–831. 850. 981, 982; *Clay* 1677–1680. 1684. 1699–1701; *A'Beckett* 2080–2084; *Symons* 2424; *Locke* 3358–3362. 3407–3412; *Ball* 3902–3908. 3944, 3945; *MacGregor* 3584-3586; *Jebb* 4027–4029——If children of vicious habits are sent to these reformatories the parents should pay for them as in America, *Carpenter* 1033, 1050–1052——The responsibility in all criminal matters should first attach to the parents, and then to the local community of which the child forms a part, *Power* 1116–1117——Great evil attached to the exemption of parents from contributing towards the maintenance of their children, whether in prison or in a reformatory institution; suggestion that the magistrate should make an order on the parish, who should in turn compel the parent to pay, if possible, *Power* 1119. 1164–1175; *A'Beckett* 2070-2078——Evidence respecting the parochial support of the children, and the liabiliy of the parents to the ratepayers for the same, *Power* 1284–1288. 1313——Opinion that parents could afford to pay towards the maintenance of their criminal children, *Ellis* 1742–1744.

How far parents should contribute towards the maintenance of their criminal children, *Adams* 1899–1903. 1912. 1984–1987. 2036–2038——The fact of a child being criminal should not exempt the parents from his support, *A'Beckett* 2070. 2080——A similar responsibility should also attach to step-fathers, who often show a great desire to get rid of the burden of maintaining their step-children, *A'Beckett* 2085–2090; *Symons* 2427–2429——Examination relative to the best mode of making parents pay for the maintenance of their children in industrial schools; in case of the inability of the parent to pay, the parish or else the prison Board should meet the expense, *Thomson* 3120–3125; *Locke* 3358–3362——Evidence on the subject of making parents pay for their children's education; some greater compulsory power is necessary with regard to that class of parents who are able, but unwilling to contribute any sum for the education of the children; suggestion for the same power that now exists for the purpose of compulsory maintenance being extended to the question of education, *Thomson* 3239–3252——Enforcing the liability on the part of parents to the maintenance of children in reformatory institutions would be right in principle, but there would be difficulty in enforcing it, *MacGregor* 3584-3586; *Jebb* 4027–4029.

6. *How*

Report, 1852—*continued.*

Parents—continued.

6. *How far, in the event of the Establishment of Reformatories, there is any Danger of Parents encouraging their Children in Crime, with a View of getting them admitted:*

General evidence on the subject of parents sending their children, though not criminal, to the reformatory establishments on the Continent for protection, *Bunsen* 1481–1483. 1486, 1487——During last year 216 applications were received to this effect, to meet which, another building is proposed, *ib.* 1483–1486——How far children would run into crime, or parents encourage them in it, for the sake of their being cared for in the manner suggested by witness, *Ellis* 1745–1749——Witness does not consider that any attempt to reform and educate criminal children in a systematic manner would be regarded as a premium to crime on the part of honest parents, *Wright* 3813, 3814——In the event of the penal and reformatory institutions being made rather to have the character of schools than of prisons, it might have the effect of tempting parents to encourage their children to commit crime in order to obtain the advantages resulting from admission into those establishments, *Jebb* 4170–4173.

See also *Crime. Drunkenness. Illegitimate Children. Lower Orders. Refractory Children. Sureties.*

Parishes. Opinion that it is very desirable to make the parish maintain the child in the reformatory school if the parent cannot do so, *Carpenter* 850–852. 980. 982–985——If necessary, the parishes might unite to meet peculiar cases as regards these proposed schools, *Power* 1380. 1388——How far the parish should be made liable for the maintenance of the child, *Adams* 1982–1984; *Symons* 2431——Opinion in favour of making the districts to which destitute juveniles belong responsible for the expense of their maintenance in the reformatory institutions, *Jebb* 4030–4032.

See also *Parents*, 5. 6. *Reformatory Establishments*, 1.

Parkhurst Prison:

1. *Evidence relative to the Establishment of the Prison; Class of Offenders confined therein.*
2. *System of Discipline adopted in the Prison, and Advantages thereof.*
3. *Defects in the System of Discipline pursued at Parkhurst.*
4. *Observations as to Punishments inflicted on the Inmates.*

1. *Evidence relative to the Establishment of the Prison; Class of Offenders confined therein:*

Parkhurst prison is situated between West Cowes and Newport, and is quite in the country, *Hall* 2526–2528——This prison was established thirteen and a half years ago, and has accommodation for 580 persons; the present number of prisoners is 578, who are all boys, girls not being received, *ib.* 2532–2537——The boys at Parkhurst are supplied from Millbank Prison, and are all under sentence of transportation; conditions under which they are received into Parkhurst, and manner in which they are transferred from Millbank, *ib.* 2538–2542. 2544. 2548. 2686–2688——All boys under the age of eighteen, who may be under sentence for transportation, are eligible for Parkhurst, *ib.* 2543——There are altogether fifty-nine persons employed in conducting the establishment at Parkhurst, *ib.* 2664.

Different offences for which the boys are guilty before being sent to Parkhurst, *Hall* 2694–2699——The period passed by the prisoners at Parkhurst is deducted from the term of their original sentence, which is generally seven years, and the remaining period is passed under surveillance in the colonies, *ib.* 2700–2702——The prisoners are almost always sent to Parkhurst from Millbank; but in 1850, when the cholera was prevalent in the latter prison, they were sent direct to Parkhurst from the different gaols throughout the country, *ib.* 2856——A great majority of the boys have been guilty of several offences before their arrival at Parkhurst; instances of this fact; return on the subject handed in, *ib.* 2865, 2866.

There are at present about 200 boys in witness's department, and only eleven are under probation in separate confinement; the latter are visited by him daily in their cells, *Spear* 2958–2964——Witness was appointed one of the visitors for the management of Parkhurst Prison on its first opening, about 1837, *Jebb* 3952, 3953——The regulations with respect to the discipline of Parkhurst are laid down, and approved by the Secretary of State; copy of the rules and regulations of the prison delivered in, *ib.* 3957, 3958——Parkhurst Prison is confined exclusively to juvenile offenders under sentence of transportation; the reason of its being confined to this class arose from the difficulty of so satisfactorily disposing of them in this country as by sending them out to the colonies, *ib.* 3960–3964.

PARKHURST PRISON—continued.

2. *System of Discipline adopted in the Prison, and Advantages thereof:*

On the arrival of a boy at Parkhurst, the first process is to place him in the probationary ward, where he is confined in a separate cell for a period of four months; there are certain relaxations permitted, and the greater part of the time is spent in school, but a shorter confinement than four months has not been thought advisable in applying the separate system, *Hall* 2549–2568. 2570. 2850–2855——Opinion that this first stage in the treatment of boys is working very well, and that no amendment can be made, *ib.* 2569. 2851. 2853–2855. 2859——After this process is over the prisoner is removed, according to his age, either to the general ward or to the junior ward; boys of twelve years old or under are sent to the junior ward, and the general ward comprises all the rest, but witness has a discretionary power as to the limit of age, *ib.* 2571–2577. 2596–2601——In the junior ward the boy attends school two half days each week, and on the other five days he has solely industrial employment; nature of the school instruction, *ib.* 2578–2580——With regard to the industrial occupation in this ward, a class of about thirty boys are employed exclusively in the tailor's shop, and the remainder, with the exception of twelve who supply water to the prison, are engaged in agricultural labour, and are also instructed in knitting, at which they work in wet weather; description of the agricultural employment, and extent of the land belonging to the prison, *ib.* 2581–2596. 2684, 2685. 2690.

Manner in which the boys are treated and occupied in the general ward; the system is very similar to that pursued in the junior ward, but other trades besides tailoring are taught, *Hall* 2603–2608——The changes introduced at Parkhurst in the increase of industrial employment, and in the diminution of the period of instruction from three days to two half days, have worked very satisfactorily; this improved system has been in operation for fifteen months, *ib.* 2668–2675——With regard to the employments at Parkhurst, and their effects on the boys, witness conceives that the general success of the institution remains the same as it was prior to 1847, when he gave evidence upon the subject before the Lords' Committee, *ib.* 2689. 2691–2693——Examination relative to the personal restraint exercised over the boys at Parkhurst, *ib.* 2736–2753. 2779–2786. 2849. 2870 *et seq.*——Opinion that in the case of boys who spend two years at Parkhurst, their character is much ameliorated by the discipline and education exercised during that time, *ib.* 2759, 2760.

Opinion that the penal system as at present adopted at Parkhurst cannot be relaxed with advantage, *Hall* 2779; *Jebb* 3997——Description of the way in which one of the inmates of the general ward spends his time each day at Parkhurst, *Hall* 2827, 2828. 2833——There is a continual personal communication going on between the prisoners and witness; beneficial effects of this custom on the boys, *ib.* 2842–2844——Reasons for relaxing the system of separation in the probationary wards; beneficial effect of this change, *ib.* 2885, 2886——Different ages at which the boys are sent into the junior ward, *ib.* 2902–2904.

The governor always consults witness in deciding upon lengthening or shortening the usual term of confinement in the probationary ward; opinion that this term of four months is a very proper time, and that this part of this system needs no alteration, *Spear* 2920–2926——It is difficult to say at what time improvement commences under the probationary treatment, *ib.* 2965——The general tone of the system pursued at Parkhurst is most satisfactory; the boys are now very amenable to proper discipline, *ib.* 3012–3015——The system of discipline at Parkhurst underwent some considerable changes in 1851; this resulted in a memorandum which witness presented to Sir George Grey; copy of the memorandum delivered in, *Jebb* 3954–3956.

Opinion that the general principle upon which the system of discipline at Parkhurst is now based, is a close approximation to a strict industrial school, *Jebb* 3959——The general result of the change of discipline of Parkhurst has been very favourable, *ib.* 3965, 3966. 4065–4067——Witness has no hesitation in saying that the majority of the children sent from Parkhurst to the colonies have turned out well, *ib.* 4064——The discipline of Parkhurst is almost entirely in association, and such as enables them to resist temptation on their being sent into the world again, *ib.* 4168, 4169.

3. *Defects in the System of Discipline pursued at Parkhurst:*

Opinion founded on the Report of the Governor of Parkhurst, that the system pursued there is not compatible with the reformatory principle, *Carpenter* 833–843——The radical defect of Parkhurst is, that instead of being a school, it is a prison, and acts entirely on the principle of compulsion and restraint, *ib.* 843——Witness considers that the failure of Parkhurst is attributable more to a want of moral and industrial training than to a want of education; authority of Mr. Pearson quoted in corroboration of this opinion, *ib.* 948–950——Reference to the error of the system at Parkhurst, *Adams* 1848, 1849——Injurious effect of placing a great number of boys in one dormitory as at Parkhurst, *ib.* 1972, 1973.

4. *Observations*

Report, 1852—*continued.*

PARKHURST PRISON—continued.

4. *Observations as to Punishments inflicted on the Inmates:*

The punishments inflicted for bad conduct are solitary confinement, with bread and water, and occasionally confinement in a dark cell and corporal punishment; the latter infliction is very rare, *Hall* 2650-2663. 2727-2735——The warders who superintend the work of the boys have the power of recommending a meal of bread and water as a punishment for their misconduct; particulars of the mode in which this recommendation is acted on by the prison authorities, *ib.* 2787-2790. 2837, 2838——Particulars of an attack made last March by the prisoners on some of the officers of the establishment; severe punishment inflicted on the offenders, *ib.* 2794-2812. 2840, 2841——For a long time past there has been only one instance of witness detaining a boy in the probation ward more than the usual probationary period of four months; misconduct for which the boys are sentenced to this extraordinary detention, *ib.* 2813-2815——Cases of indolence or disobedience occurring at work are very few compared with the large number of prisoners, *ib.* 2836.

On an average there are about thirty minor punishments inflicted every week, *Hall* 2837——It frequently happens that the punishments of the prisoners at Parkhurst are mitigated, *ib.* 2848——The spirit and manner in which punishments are inflicted on the boys tend considerably to bring them into a well-disposed state of mind, *ib.* 2880——The only punishment which witness has the power to inflict is that of bread and water; all cases requiring severer treatment must be reported to the governor, *Spear* 2909. 2911, 2912. 3016, 3017.

See also *Acts of Parliament. Association*, 1. *Chaplains. Classification of Prisoners. Corporal Punishment. Cost of Maintenance. Dietary*, 1. *District Prisons. Education*, 1. *Emigration*, 2. *Escapes. Hall*, Captain. *Incorrigible Offenders. Inspection of Prisons. Officers. Pardons. Penal Schools*, 2. *Prison Discipline. Reformation. Reformatory Establishments*, 2. *Religious Instruction. Rewards*, &c. *Separate Confinement. Tickets of Leave. Warders.*

Parliamentary Grants. Opinion that as to the first class of schools, namely, the free day schools, Her Majesty's Committee of Privy Council on Education has to deal with them as regards grants, &c.; recommendation of an extension of these grants, *Hill* 416, 417——The reasons why ragged schools cannot be aided by grants for the national education are set forth in a memorial by the conference at Birmingham to the Committee of Council on Education, *Carpenter* 807-813.——*See* also *Government Aid.*

Pauper Schools. Opinion that the deficiency of moral training in pauper schools is chiefly to be attributed to the want of voluntary teachers, who in the ragged schools take up the matter for the love of it; reference to the Marylebone workhouse in support of this opinion, *Locke* 3429-3435——How far children taken from the pauper schools and undergoing industrial training at Knellar Hall, are likely to make good teachers for the ragged schools, *ib.* 3436, 3437.

See also *Schools. Union Schools. Workhouse Schools.*

Paupers. Objection to receiving both paupers and offenders in the same institution, *Symons* 2451, 2452. 2454, 2455. 2460.

Pawnbrokers. Reference to the clumsiness of the Pawnbrokers' Act, the 39 & 40 Geo. 3, *Paynter* 777, 778——Defectiveness of the Pawnbrokers' Act as regards loans, *ib.* 792, 793——Reference to the fact of children being sent to pawn goods at a very early age; opinion that the Pawnbrokers' Act should be enforced to prevent this, *Clay* 1565-1568——Difficulty of altering the law relating to pawnbrokers; how far they encourage juvenile offenders in disposing of stolen goods, *Adams* 1847——Insufficiency of the present law regarding pawnbrokers; opinion that the police should have more summary power than at present, and should be authorized by law to visit shops of this kind, *A'Beckett* 2098-2104.——*See* also *Marine Store Dealers.*

Paynter, Thomas. (Analysis of his Evidence.)—Metropolitan police magistrate, acting at Hammersmith and Wandsworth, 672, 673——Formerly filled the office of recorder of Falmouth, Penzance, and Helston, 675, 676——Has acted as magistrate altogether about sixteen years, 677——Opinion that the great increase of town population has materially increased juvenile crime, 680-687——The unnecessary exposure of property is a great cause of juvenile delinquency, 680, 681——The unwholesome state of the dwellings of the poor is another indirect cause of crime, 682——Great abuses of illegal fairs; instance of this in the fair at Battersea every Sunday, 683-686——The shameful prostitution, more especially in London, is also an inducement to juvenile crime, 687——Evil effect attributable to the operation of the Poor-law union workhouses, 688. 725-727——Inconsistency and anomaly of part of the criminal law, 689-692——Witness has of late gone much nearer to the extreme punishment allowed by the law, from the belief that a trifling punishment at first is very unwise, 692-694——Slight imprisonments can produce no reformatory process in the boys, 694, 695.

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Paynter, Thomas. (Analysis of his Evidence)—*continued.*

Evidence on the reformatory institution at Rhuysselede, in Belgium, which is entirely supported by Government, 698–708. 711. 728–731. 736, 737; this institution comprises a farm of about 200 acres, a large and spacious collection of buildings, and about 500 boys, 702——These boys are not criminal offenders, but are all poor, and may be termed vagabonds from all parts of Belgium, 704. 706–708——There are only seventeen officers, strictly so called, to 500 boys, 704——Excellent manner in which this institution is managed, 704, 705——Reference to a reformatory at Aix, on the same principle as that at Rhuysselede, of receiving only poor boys, 709–711——Coarseness of the fare at Rhuysselede, as contrasted with that in our reformatory institutions, 711.

Criminal and reformatory schools must be kept separate, 713——Mode in which witness deals with the youngest offenders, 714–716. 721–724——Suggestion for making parents responsible for their children's conduct, 717–720——Mode of dealing with those children in Belgium who have committed felony, 732–735——Nature of the punishments inflicted at Rhuysselede 736, 737——Coercive punishment, combined with reformatory treatment, is the most desirable for juvenile offenders in this country, 738–745.

[Second Examination.] Marine store dealers are a fertile source of crime, 769. 771–776. 783–790. 792. 796, 797——Anomaly of the law respecting marine store dealers and pawnbrokers, the latter, who are much the more respectable class, being treated very rigorously, 769. 791——How far the marine store dealers are restrained by any Act of Parliament, 770, 771. 774——Marine store dealers should be compelled to keep a correct account of every article that they purchase, as well as an account of the person from whom they purchase it, 771——Also that they should not complete the purchase of an article till it was forty-eight hours in their possession, 771. 795.

Marine store dealers should be restrained from dealing with boys under a certain age, 771——Reference to the clumsiness of the Pawnbroker's Act, 39 & 40 Geo. 3; 777, 778. 792, 793——Explanation of the law as determining fit inmates for the Rhuysselede Institution, 779——Modification by witness of the term "faulty administration of the poor-law," used by him; he would qualify this by calling it the deficiency of the poor-law, 797.

PENAL SCHOOLS:

1. *Suggestions for the Establishment of Penal Reformatory Schools.*
2. *Class of Offenders to be Admitted, and Mode of Treatment recommended.*

1. *Suggestions for the Establishment of Penal Reformatory Schools:*

Necessity of contributions, either from local or from general taxation, as a means of supporting the proposed penal reformatory schools, *Hill* 419——Suggestions as to the most advisable system for penal schools, *ib.* 456, *et seq*——Ameliorating the condition of children in these penal schools would not lead them into crime for the purpose of enjoying such amelioration, *ib.* 489, 490——Opinion in favour of rendering district penal schools compulsory, *Symons* 2488——The erection and maintenance of penal schools, for the reformation of criminal juveniles, would have a good effect in Ireland, *Ball* 3922——Explanation with respect to the proposed establishment of penal district schools; accommodation to be provided, and class of juvenile offenders to be confined therein, *Jebb* 4113–4121. 4133, 4134.

2. *Class of Offenders to be Admitted, and Mode of Treatment recommended:*

Probable time necessary for the reformation of the boys sent to these schools, *Hill* 499, 500, 503–506——The proposed penal schools should receive the children both before and after trial, *Symons* 2520–2524——Evidence generally on the subject of the penal reformatory school; mode of treatment to be adopted therein; lenth of time which the juvenile should be compelled to remain therein, *MacGregor* 3641–3653; *Ball* 3926, 3927——Supposing penal reformatory schools are established, there may be some young persons whom it would not be desirable to admit into those establishments, *ib.* 3936–3938.

The system of treatment in the penal establishments should as nearly as possible assimilate to that adopted at Parkhurst, *Jebb* 3996–3998——Number to which the inmates should be limited, *ib.* 4017, 4018. 4053, 4054——The children should be released from the penal schools for good conduct, their sentences being commuted to a certain residence in the reformatory schools, *ib.* 4127——In cases where there is no chance of deterring juveniles from the commission of crime, they should be committed at once for a very long period to a penal school; the strict discipline of a penal school carried out for a long time, would be likely to subdue the character of boys under such circumstances, *ib.* 4165–4167.

See also *District Prisons.* *Employment*, 2. *Reformatory Establishments*, 1.

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Pennsylvania House of Refuge. Reference to the expenses of the House of Refuge in Pennsylvania; the system is like that of the New York Institution, *Power* 1246–1248. 1353–1357.

Pentonville Prison. See *Expenses of Prisons.* *Separate Confinement.*

Period of Detention. At the Mettray institution the boys can only be detained for the term of their sentence; injurious effect of the limit, *Hill* 507, 508——Opinion that imprisonment for the purpose of reform should never be for less than a year, *Hill* 509; *Carpenter* 919. 935——Opinion that the boys stay at the school should be in proportion to the progress of his reformation, *Hill* 509, 510. 512. 532. 572–576——Reference to a speech by the Honourable C. F. Maire upon reformatory institutions in America, from which it appears that the period of stay in these institutions is about eighteen months, and that about three-fourths of the entire number of boys are reformed; the sentences vary from one year up to ten years, *ib.* 516–518——Except from the day schools, the children should never return to their parents till their reformation was complete, *ib.* 612, 613.

Objection to any forcible detention in these reformatory schools, *Carpenter* 988. 992 Nature of the restraint or detention to be allowed by Government in the schools, *ib.* 991, 992——The children should be committed for no definite period, *Power* 1120–1126. 1189 *et seq.*, 1261. 1289——Illustration of witness's opinion that there should be no forcible detention of children in reformatory schools; difference of opinion between witness and Mr. S. Turner upon this point, *ib.* 1295–1297.

The detention of children for the necessary time in reformatory institutions is provided for by the Parkhurst Act, *Adams* 1891–1894. 1897——The length of the term of imprisonment of juvenile offenders should depend upon their behaviour in prison; with whom the responsibility of determining the period of the conditional imprisonment should rest, *MacGregor* 3613–3617——With regard to the period of detention of juvenile criminals in the reformatory institutions, a very large discretion ought to be vested in the executive; they should be detained until they reached a certain age, irrespective of the period for which imprisonment was awarded, *Ball* 3887–3891. 3928–3930——It is impossible to lay down any positive rule with respect to the period of detention of juveniles in the proposed district prisons; they should be detained as long as necessary for their reformation, *Jebb* 4110–4112——With regard to those boys who may be committed for a certain time in a reformatory establishment, it would be necessary that they should be lodged, *ib.* 4140–4142.

Petty Larceny Act. Reference to the working of the Petty Larceny Act, *Adams* 1907. 1910. 1924. 1933.

Philanthropic Institution. Principles on which witness has selected the boys from the prisons on sending them to fill up vacancies in the Philanthropic Society's institution, *Williams* 22. 28, 29. 35–38. 49, 50. 52, 53. 61——Peculiar difficulties encountered by witness when inducing boys to go from prison to the Philanthropic Society's Institution; instance of this in a boy ten or eleven years' old who had been eleven times in Westminster Bridewell, *ib.* 41 *et seq.*——Probable origin of these objections to go to the Institution, *ib.* 46–48. 53–56——Course pursued in case of a boy absconding from the institution at Red-hill, *ib.* 63–67——Favourable effects produced on the boys by the agricultural nature of the training practised at the Philanthropic Society's Institution, *ib.* 85. 89——Opinion that the Philanthropic Asylum would be a most excellent model for the second class of schools alluded to by witness; that is to say, for paupers, or the lowest class of society, *Jebb.* 4169.——*See* also *Red-hill Philanthropic Institution.*

Philanthropic Society. See *Apprentices.* *Conditional Pardons.* *Emigration*, 3.

Places of Amusement. Unrestricted access to places of unlawful amusement is an incentive to juvenile crime, *Carpenter* 800——Opinion that singing-rooms or low theatres require legislative interference; their effect is most baneful, *Clay* 1560–1564; *Adams* 1825–1830; *A'Beckett* 2115–2122——The absurdity of the Act of Parliament regarding such places instanced in the practical effect of the clause which regulates the prosecution of the keepers of brothels, *ib.* 1828.——*See* also *Parents*, 2. *Theatres.*

Poorer Classes. Kind treatment with the poor is more likely to tend to their reformation than compelling them; the whole discipline of Parkhurst is based upon that system, *Jebb* 4131.——*See* also *Lower Orders.* *Paupers.* *Schools.*

Population. Grounds for the opinion that the great increase of town population has materially increased juvenile crime, *Paynter* 680–687.

Poverty. Poverty is seldom a direct cause of juvenile delinquency, *Hill* 547–551; *Carpenter* 1004, 1005——Poverty of the parents of the boys in Tothillfields, *Tracey* 766.

See also *Crime.* *Destitution.* *Distress.* *Lower Orders.*

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Power, David. (Analysis of his Evidence.)—Barrister-at-Law and Recorder of Ipswich, 1111——The treatment of juvenile criminals in this country is very defective, 1113——Evidence as to the Reformatory Institution at Ipswich, originated by witness, for the purpose of receiving juvenile offenders on leaving gaol, 1114. 1143–1156——One defect of the present system is the short term of imprisonment, 1114, 1115——Another defect is that the gaol system is founded on the principle of restraint, 1115——Objection to the State being burdened with the costs of prosecution, 1116, 1117——The responsibility, in all criminal matters, should first attach to the parents, and then to the local community of which the child forms part, 1116, 1117.

Great evil attached to the exemption of parents from contributing towards the maintenance of their children, whether in prison or in a reformatory institution; suggestion that the magistrate should make an order on the parish, who should in turn compel the parent to pay if possible, 1119. 1164–1175——Opinion that when a child is committed to a reformatory school, no period of imprisonment should be named, 1120–1126. 1189 *et seq*——About 2,020 juvenile criminals, under thirteen years of age, are committed annually; witness would place thirteen years old as the limit, and would send all children, convicted under that age, to reformatory schools, 1121. 1125, 1126. 1163–1180.

Evidence as to the Brook-street Industrial School, London, as illustrating the best principles of the reformatory system, 1127–1142——Origin and development of this school in 1848; 1129, 1130. 1134——Reference to Mr. Ellis, the master of this school, the establishment of which was a voluntary effort on his part, 1131–1134. 1138–1140——General information with regard to the boys in this school; instances of their reformation, 1135, 1136. 1140–1142——Principle pursued at the Ipswich Reformatory of building up a character in the minds of the boys, which would afterwards enable them to resist temptation, 1145. 1156——General success of this establishment, 1147–1151 There were eight boys and two girls at the Ipswich institution; staff of officers, 1150. 1153.

Reference to the want of funds, through which this establishment has just ceased to exist, 1152–1154——Great liberty allowed to the children, who could go in and out whenever they pleased, 1156——The Red Hill institution should be more self-supporting; otherwise the system pursued there is admirable, 1159, 1160——The different religious belief held by the conductors of the Hamburg, Mettray and Red Hill institutions, has been no bar to the moral improvement of the children, 1160——Objection to making parents enter into recognizances for their children, 1163——Witness would divide these schools into the reformatory school and the free industrial feeding school, 1176——Opinion, with reference to the construction of these schools, that voluntary efforts and Government efforts are mutually a check and an advantage, 1177.

The only punishment for the boy should be to lead his mind out of the wrong way into the right way, which must in itself be a very harsh penalty, 1178——Course to be pursued in case of a boy's escape from school, 1179–1181——Out-door labour advisable for the boys; agriculture recommended, 1182–1185——A building cannot be too simple for a reformatory, 1186——The education should be like that now given in the lower class of schools in England, 1187——A thorough inspection very desirable, 1188, 1189——General system pursued in America, 1196–1208.

[Second Examination.] Further evidence in detail on the state of the law in America, as regards juvenile offenders, and also on the reformatory institutions at New York and elsewhere, 1209 *et seq.*——Incorporation, on the 29th March 1824, of the New York House of Refuge, governed by a Board of thirty managers; election of these managers and their power to receive all children who, as vagrants or criminal offenders, have been committed or convicted, 1213——Support received by this institution from the State, 1213, 1214. 1229.

In 1826, an Act was passed rendering it imperative, instead of discretionary, on the managers to receive all children convicted of criminal offences who, in the judgment of the court that tried them, may be deemed proper objects, 1213, 1214——This institution applies to children under sixteen years of age; the youngest children are eight years old, of which there are only five, the great majority being twelve, thirteen, fourteen and fifteen, 1214. 1220, 1221——Certain officers in whom the system of management is vested, 1215——On the 1st of January 1850, there were 338 inmates in the institution; there were, during that year, 444 received and 371 disposed of, leaving 411 in the institution, 1216, 1217. 1219——Examination of several instances illustrating the good and lasting effect of this reform upon the boys, 1217——Industrial training imposed on the boys and girls in this institution, 1218.

Instruction is easily imparted to the children; it consists of reading, writing, arithmetic, and geography, 1223, 1224——Moral and religious training pursued, 1225——Statistical information as to the expenses of the establishment, 1226–1229——Class of children, principally foreigners, received in this institution, 1231, 1232. 1348–1351——At Rochester, in the State of New York, the state appropriated 60,000 dollars towards the erection of a house of refuge and its support for the first year, 1233——The state

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Power, David. (Analysis of his Evidence)—*continued.*

Reform School in Massachusetts is considered the model reformatory establishment of the United States, 1235. 1246. 1251——System of management and the treatment pursued in this establishment, 1236–1246. 1253.

Cost of maintenance at the State Reform School, Massachusetts, 1243——The expense of this institution is entirely borne by the State, 1243–1245——Reference to the expenses of the House of Refuge in Pennsylvania; the system is like that of the New York Institution, 1246–1248. 1353–1357——Nature of the House of Refuge in Maryland; it is conducted by a mixed board of management, consisting chiefly of voluntary subscribers, 1249–1251——System of classification pursued in the American reformatories; how far this system can be introduced into England, 1253–1260——The children should be committed for no definite period, 1261. 1289——Suggestions for the selection of managers after the Maryland mode, 1262. 1280–1282——Sources from which the funds for these establishments should be derived, 1263–1265——Modes of dealing with the children on leaving these schools, 1266–1268. 1371.

Slight difference between the case of a pauper child and a child committed for a first offence, 1268——Opinion that a child under fourteen acts *sans discernément*; witness would not admit any child older than fourteen into a reformatory, 1269, 1270. 1300. 1302, 1303. 1358–1361——A boy on leaving the school seldom lapses into error; the discipline has formed his character anew, 1271, 1272——Witness would admit a boy if under fourteen a second time, and after a second offence into a reformatory, provided there were a proper system of classification, which is absolutely essential, 1272–1275——The Brook-street School was founded for the sake of demonstrating that a London thief could be reformed; great success of the experiment, 1276–1279——Modes proposed for the erection of reformatories, 1283.

Evidence respecting the parochial support of the children, and the liability of the parents to the ratepayers for the same, 1284–1288. 1313——Punishment has no deterrent effect on juvenile offenders, 1290. 1312–1324. 1326. 1359–1361. 1367——It is impossible to combine the deterrent and the reformatory influence, 1291, 1292. 1361——Aversion to separate confinement as applied to children, 1293, 1294——Illustration of witness's opinion that there should be no forcible detention of children in reformatory schools, 1295–1297——Objection to any punishment of a child who acts *sans discernément* before he enters a reformatory institution, 1297–1304. 1309–1312. 1320. 1323——Reference to a return of Sir J. Pakington's, showing that ten reformatories, containing 200 each, would almost exhaust the number of juvenile offenders under thirteen years old, 1304.

Opinion that 300 or 400 children in one school could be made to work well, 1305, 1306——Experience of witness as to the infection diffused by the discharge of a young criminal from gaol, 1316, 1317——Return, showing the number of juvenile offenders tried at Ipswich, and the result of the present system, 1327–1330——How far the different system of national education in America acts upon their reformatory schools as a less difficulty than is the case in England, 1331–1337——Standard of education sought after in the reformatory schools of America, 1338–1341——How for the sending to a reformatory school in America is merely a suspension of the law, 1344–1346.

Opinion that children should go to these reformatories, on conviction by the magistrate, and that they should never be tried by jury, 1363, 1364——Mode of action when a child's evidence is necessary on a trial, 1365, 1366——Detail of witness's plan for carrying out industrial or ragged schools, 1372 *et seq.*——By means of the proposed system the educational wants of the criminal class would necessarily be provided for, 1372, 1373. 1375. 1379. 1389——A legal provision for educating children, as proposed by witness, would stimulate voluntary efforts, 1376——If necessary the parishes might unite to meet peculiar cases as regards these proposed schools, 1380. 1388——Reference to a school established for twenty or thirty years, during which period only one criminal case was ever brought home to a child instructed there, 1386, 1387. 1390——Recommendation that children of all classes should be sent promiscuously to the proposed reformatory schools, 1387. 1390, 1391.

Preston Gaol:

1. *Generally.*
2. *Papers laid before the Committee.*

1. *Generally:*

Class of children generally sent to the Preston gaol, *Clay* 1590. 1668, 1669. 1671–1673. 1684. 1691–1697——How far the boys are taught any trades, *ib.* 1599, 1600. 1608——Reputation of the Preston prison for producing most reformatory results in the minds of the boys, *ib.* 1606——Slight difference in the treatment of the boys before and after trial, *ib.* 1607——Nature of the minor punishments imposed at Preston, *ib.* 1616, 1617——The decrease in juvenile offenders attributed by witness to the improved system of prison discipline now pursued at Preston; the change of system took place in 1843, *ib.* 1618–1620. 1653–1656.

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PRESTON GAOL—continued.

2. *Papers laid before the Committee.*

Extracts from the journal of the chaplain of the county house of correction, Preston, relating to juvenile criminals, *App.* 427——Particulars relating to 100 juvenile offenders committed to the county house of correction, at Preston, between the 1st September 1851 and the 20th May 1852, distinguishing between summary committals and committals at the sessions, *ib.* 435——Extracts from the journal of the county house of correction, Preston, relating to juvenile criminals, *ib.* 466.

See also *Clay*, Rev. *John*. *Hard Labour*. *Irish Offenders*. *Separate System*.

Primary Schools (Scotland). Nature of the primary schools in Scotland, to which the children of the poor are admitted, *Thomson* 3135.

Prison Discipline. Injurious effect of prison discipline upon the minds of boys, *Hill* 527, 528. 552, 553; *Carpenter* 816, 817; *Ellis* 1735–1739. 1753——One defect is, that the gaol system is founded on the principle of restraint, *Power* 1115——The evil propensities of some children are partly hereditary, and must be checked by proper discipline, *Ellis* 1726, 1727.——No system of prison discipline can ever reform a child under thirteen years of age, *Adams* 1848——The prison should be made very painful to a boy; recommendation of solitary confinement and hard labour, in order that the child may like the reformatory school the more, *ib.* 1877–1879. 1967, 1968. 1975. 1998–2001——How far the system suggested by witness should be extended at once over the whole country, or confined to the metropolitan districts, *ib.* 1919–1921. 1926. 1954–1959——A deterrent and a reformatory system cannot be combined, *ib.* 1976——The reformatory system can be universally applied, *ib.* 1979, 1980——The treatment of juvenile offenders in prison has nothing reformatory about it, and is of a very harsh character, *M*—— 2160–2162. 2303, 2304. 2319 *et seq.* 2351–2365. 2383–2386.

The present gaol system of treating children is most mistaken and inefficient, *Symons* 2391–2393——Witness has not found that the most criminal boys are the most obedient to prison discipline, *Spear* 2999, 3000——The existing system of prison discipline is one which does not encourage habits of self-control and self-denial in juvenile criminals, *MacGregor* 3628–3633——Efforts lately made to improve the discipline in the gaols in Ireland, and introduce a reformatory discipline; this has been successfully carried out to a limited extent, *Ball* 3832–3834——As a general rule, there is not a suitable system of discipline adopted in the prisons; the attempts at reformation have failed from the short periods of the sentences, *Jebb* 4160–4162.

See also *Association*, 1. *Classification of Prisoners*. *Hard Labour*. *Oakum Picking*. *Reformation*. *Separate Confinement*. *Short Sentences*. *Silent System*. *Solitary Confinement*.

Prosecutions. Objection to the state being burdened with the cost of prosecution, *Power* 1116, 1117——The establishment of penal and reformatory institutions would be a very considerable expense, but that might be made up to the public by a diminution of expense in criminal proceedings, and the prevention and punishment of crime, *Jebb* 4033–4036.

Prostitution. The shameful prostitution, more especially in London, is an inducement to juvenile crime, *Paynter* 687.——*See* also *Places of Amusement*.

Prussia. Punishment to which children were subjected by law before the introduction of the reformatory institutions into Prussia, *Bunsen* 1460–1468——The law, as it existed, gave the police magistrate the discretionary power of sending children to reformatory establishments, *ib.* 1469, 1470——Evidence relative to the light in which children are sent to these institutions; in case of desertion they are still under the surveillance of the law, *ib.* 1471–1476.

Public Houses. Suggestion that public-houses be placed under stricter regulations, *Clay* 1557.——*See* also *Drunkenness*.

PUNISHMENT:

1. *Opinion in favour of severe Punishment for first Offences.*
2. *Opinion that Punishment has no deterrent effect upon Juvenile Offenders.*

1. *Opinion in favour of severe Punishment for first Offences:*

How far the punishment of criminals is considered by themselves, and by witness, as a payment for the offence committed, *Hill* 621–625——Witness has of late gone much nearer to the extreme punishment allowed by the law, from the belief that a trifling punishment at first is very unwise, *Paynter* 692–694——Coercive punishment, combined with reformatory treatment, is the most desirable for juvenile offenders in this country, *ib.* 738–745——A more correctional discipline is necessary for the more hardened criminals, *Carpenter*

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PUNISHMENT—continued.

1. *Opinion in favour of severe Punishment for first Offences*—continued.

Carpenter 885–887——Correctional discipline, or actual punishment, suggested by witness with respect to juvenile offenders, *Symons* 2403–2411——The best mode of deterring juveniles from the commission of crime is a short, sharp, stinging punishment in prison for the first offence, *MacGregor* 3580-3583. 3602, 3603; *Jebb* 4161–4164——Suggestion of punishment in the first instance, and reformatory treatment afterwards, *MacGregor* 3580–3583. 3602, 3603.

2. *Opinion that Punishment has no deterrent effect upon Juvenile Offenders:*

Opinion as to the faults of the present system, whereby the magistrate is obliged to impose upon juvenile offenders a punishment which at the time he knows will not be of any use, *Carpenter* 936, 937——Opinion that punishment has no deterrent effect on juvenile offenders, *Power* 1290. 1312. 1324. 1326——It is impossible to combine the deterrent and the reformatory influence, *ib.* 1291, 1292. 1361——Inculcation of the doctrine that under all circumstances reformatory discipline and not practical punishment is most desirable for juvenile offenders, *ib.* 1318–1322. 1359–1361. 1367.

See also *Ages of Children. Hard Labour. Imprisonment. Judges. Magistrates. Prison Discipline. Reformation. Sentences. Short Sentences.*

Pupil Teachers. Principle of employing pupil teachers, from twenty to thirty years old, who afterwards are very valuable as superintendents of reformatory institutions, *Bunsen* 1398. 1404——Objects for which these pupil teachers are serviceable after a system of training, *ib.* 1398, 1399. 1404. 1436——Reference to the pupil teachers, or trained masters; extract from a work by Mr. Fletcher bearing upon this subject, *ib.* 1440. 1442–1444——Manner in which the pupil teachers or brothers at the Rauhe Haus Institution are remunerated; how far these brothers can be obtained out of the institution itself, *ib.* 1449–1451. 1514.

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Quat School. Evidence with respect to the institution at Quat; comparative perfection to which Mr. Whitmore has brought this school, *Symons* 2399–2401——Communication kept up with the boys after leaving the institution, *ib.* 2401——Proportion of children who were criminal, and proportion merely destitute, as tested by witness at workhouses and at quarter sessions at Gloucester, *ib.* 2401–2403. 2453——The maintenance of the children at the Quat District School costs about 3*s.* a week each, *ib.* 2445–2447.

Quecket, Mr. See *Bristol.*

R.

RAGGED SCHOOLS:

1. *Advantages resulting from the Establishment of Ragged Schools; desirability of extending them.*
2. *Remarks as to the Class of Children admitted to the Schools.*
3. *System of Instruction, &c., pursued in these Schools.*

1. *Advantages resulting from the Establishment of Ragged Schools; desirability of extending them:*

General advantages of the ragged schools in checking crime amongst the young idlers in the streets, *Carpenter* 806. 1010, 1011——Desirability of establishing what are termed ragged schools, *ib.* 806——Importance of the ragged schools, and good effects to be expected from them, *Adams* 1906. 1931——Evidence respecting ragged schools, and how they are to be supported, *ib.* 1931, 1932. 1945——Ragged schools in London originated long before 1844; foundation of the Ragged School Union by witness and some friends who were engaged in Sabbath school teaching, *Locke* 3271–3274.

Since the first establishment of the Ragged School Union, the schools have increased from sixteen to 110, the voluntary teachers from 200 to 600, exclusive of 200 paid teachers, who were not employed at first; and the number of children has advanced from 200 to 13,000, which does not include the Sabbath school scholars, who amount to about half that number, *Locke* 3275——The other ragged schools throughout England are not connected with the Ragged School Union, but they receive grants from the central fund, so long as the latter can afford to make them, *ib.* 3303-3305——Examination relative to the ragged schools at Manchester and Liverpool, and in other parts of England, *ib.* 3307–3310.

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RAGGED SCHOOLS—continued.

1. *Advantages resulting from the Establishment, &c.*—continued.

3310. 3395, 3396. 3421-3423. 3436-3440——The results of the entire system are very gratifying; great numbers of children are sent to the colonies, and enabled to gain an honest livelihood instead of living by dishonest means at home, and being a burden to the community at large; manner in which their emigration is carried out, *Locke* 3321 *et seq.* ——Good effects of the ragged schools upon the character of the neighbourhood where the children live, *ib.* 3343——Ragged schools, like other reformatories, are preventive rather than otherwise, and as prevention is a matter of less expense than punishment, it should be more attended to, *ib.* 3364-3367.

Extent of the funds of the Ragged School Union, *Locke* 3379, 3380——Vast numbers of these schools are yet wanted in the metropolis, but they cannot be obtained by local contributions without some extraneous aid, *ib.* 3381-3383——Opinion that a ragged school should never be established unless where it is absolutely needed; such schools are only wanted in large towns, where the population is of a low, debased and vagrant class; enumeration of those places where ragged schools at present exist, *ib.* 3393-3397 ——The children in the ragged schools gradually change in their appearance, and improve greatly under the effects of better food, and of cleanliness, *ib.* 3404-3406——Evidence relative to the Ragged Industrial School in Manchester; this school is not sufficient for the whole town; there ought to be several in various districts of the town, *Wright* 3754-3766——Opinion that the ragged schools should be placed upon an equality with the union schools as to Government aid; both classes are equally destitute, *Jebb* 4057-4061.

2. *Remarks as to the Class of Children admitted to the Schools:*

Opinion that boys convicted of felony or other dishonesty are not morally worse than the generality of children attending the ragged schools, *Carpenter* 816——Mixture of destitute and criminal children in the ragged schools, *Ellis* 1763-1766. 1774-1781. 1798, 1799. 1801, 1802; *Adams* 2019, 2020——The first object of young thieves in attending ragged schools, and such like reformatories, is to amuse themselves by riot and disturbance; moreover they never look to consequences in any shape, and only consider direct personal enjoyment and advantage for the time being, *M*—— 2195-2201—— The class of children called the class *dangereux* are to be best operated upon by the ragged schools, *Symons* 2457-2460——Difficulty of keeping children out of ragged schools who are not of a class to be benefited by them, *ib.* 2461. 2463, 2464.

The ages at which the children are received into the ragged schools vary from four to sixteen adults, but there are some at twenty and thirty years old; half of the children are under ten years of age, *Locke* 3276, 3277——General description of the children when first taken into the ragged schools; various classes of life to which they belong, *ib.* 3278-3280——Destitution is the condition on which the children are admitted into the ragged schools; manner in which their admission takes place, *ib.* 3281, 3282——Out of the 13,000 ragged school children in London about one-half attend the evening schools, *ib.* 3320——The ragged school authorities have always been anxious to receive boys who had been frequently convicted; though many of these boys have at first behaved in a most disorderly and insulting manner, still, through the influence of affection and kind treatment, they have almost invariably been brought into subjecion and obedience, and many of the very worst boys have, through the effects of this kindness, turned out to be the best men, *ib.* 3373-3378.

3. *System of Instruction, &c., pursued in these Schools:*

The daily routine of the ragged schools varies according to circumstances; general system of education and industrial training pursued in the morning schools, *Locke* 3287-3291——In the morning schools the children are engaged for about six hours, and in the evening schools about two hours and a half or three hours, *ib.* 3292-3295——Food is occasionally given to the children, as they are sometimes so destitute that they cannot be taught until they are fed; lodging is also at times provided for them, *ib.* 3296-3301 ——All the ragged schools are quite free, *ib.* 3302——How far the ragged schools are all conducted on the same system, *ib.* 3384-3389——Duties of the superintendents of the schools; besides the paid teachers, there is generally a superintendent to overlook the school, *ib.* 3414-3419——Statement as to the occupation of the children in the ragged schools, *MacGregor* 3577.

See also *Brook Street Industrial School. Cost of Maintenance. Free Industrial Schools. Government Aid. Industrial Schools. Inspection of Schools. Old Pye Street Refuge* (Westminster). *Parliamentary Grants. Reformatory Establishments*, 1. *Religious Instruction. Schoolmasters. Shoe Black Society. Voluntary Contributions.*

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Rauhe Haus Reformatory Institution (Hamburg).

1. *Evidence relative to the Institution, and the successful Results thereof.*
2. *Statement with Respect to the Admission of Children.*
3. *Explanation as to the System pursued in the Institution.*

1. *Evidence relative to the Institution, and the successful Results thereof:*

General outline of the Rauhe Haus Reformatory, which contains at present of 100 children, two-thirds boys, and one-third girls, *Bunsen* 1398. 1409, 1410——Success of this institution; out of 200 who have left it, only ten or twelve have come in contact with the police, *ib.* 1399, 1400——Most of the children are apprenticed in Hamburg, which is only two miles off, *ib.* 1400–1406——The Rauhe Haus establishment was founded, and has been since supported by private subscription, *ib.* 1404——Information relative to the staff or superintendence employed, *ib.* 1411–1414. 1431, 1432——Expenses of the institution, *ib.* 1412, 1413.

Time generally necessary for the reformation of boys and girls under Dr. Wichern's system at the reformatory, *Bunsen* 1427, 1428——Success of this institution attributed to the qualifications of Dr. Wichern in superintending it, *ib.* 1431, 1432——Comparison of the systems practised at the Rauhe Haus and at Mettray, *ib.* 1440–1445. 1452–1459——Advantage of the Rauhe Haus, as well as of Mettray, in its being a training, as well as a reformatory establishment, *ib.* 1440——Facility of introducing the system at the Rauhe Haus Institution into England, *ib.* 1505, 1506.

2. *Statement with Respect to the Admission of Children:*

The children are chiefly of the criminal class, *Bunsen* 1398 *et seq.*——There is no limitation with regard to the age of the children received, *ib.* 1405——The admittance of girls is of great service; evidence generally respecting these girls, *ib.* 1405–1408——Manner in which the children are received from their parents, *ib.* 1417–1419——How far children are received into the Dusaltave and the Rauhe Haus institutions without the consent of their parents, *ib.* 1477–1480.

3. *Explanation as to the System pursued in the Institution:*

Manner of classifying these children into families of from twelve to sixteen in number, and in different cottages; success of this principle, *Bunsen* 1398. 1431——The establishment is a rural one, and the labour chiefly agricultural, *ib.* 1399——Trades are also taught, *ib.* 1399. 1429, 1430——The education is principally of a religious nature, *ib.* 1399——How far there is any restraint practised, *ib.* 1411——Routine of daily work devolving on a boy, *ib.* 1414——Nature of the punishment put in force by Dr. Wichern, *ib.* 1415. 1421–1426——At the Rauhe Haus Institution the child is kept till the reformatory treatment has had a due effect on the mind, *ib.* 1440——Opinion that twelve boys in a family as at the Rauhe Haus is preferable to forty as at Mettray, *ib.* 1445. 1518.

See also *Continent,* The. *Escapes. Hamburg. Pupil Teachers. Religious Instruction.*

Reading Gaol. Reference to the system pursued at Reading Gaol, *Clay* 1614, 1615.

Reception Houses. See *Discharged Children.*

Recognizances. See *Parents,* 4. *Sureties.*

Red Hill Philanthropic Institution. General operations and objects of this institution, *Turner* 222 *et seq.*——Beneficial results attributed to the removal of the society from London to Red Hill, *ib.* 227. 236 *et seq.*——Agricultural nature of the labour imposed upon the boys, *ib.* 241–245. 281–285. 287. 289. 306——Course pursued with those boys who behave ill, *ib.* 267, 268. 271 *et seq.*——Modes of preserving discipline, *ib.* 271–275——Consideration allowed to the boys as a return for their labour, *ib.* 276. 287. 307——Regulations under which Government inmates are received, *ib.* 277, 278. 297–299——Explanation of the discipline practised at the institution, *ib.* 285, 286. 313–318. 320, 321. 338.

Enumeration of the staff employed; account of their duties, *Turner* 294–296. 308, 309. 311, 312. 322–324——Annual cost of the establishment, *ib.* 303——Number of acres in cultivation, statement of the profits that may be realized, *ib.* 304, 305. 310——Grounds for inferring that the pupils are reformed by their stay at the institution, *ib.* 327, 328——The institution should be more self-supporting; otherwise the system pursued there is admirable, *Power* 1159, 1160——Favourable impression formed by witness of the Red Hill Establishment, *Bunsen* 1521, 1522——Evidence as to the school for the reformation of juvenile offenders at Red Hill; beneficial results arising from that school, *Wright* 3712–3721.

See also *Corporal Punishment. Cost of Maintenance. Desertions. Dietary,* 2. *Employment,* 2. *Government Aid. Philanthropic Institution. Reformatory Establishments,* 1. *Religious Instruction.*

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Reformation. Evidence in favour of the reformatory treatment of juvenile offenders, *Hill* 397-400. 414. 437, 438——Painful working of the reformatory system in inverting and rooting out the pre-formed tastes, wishes, and habits of the boy, *ib.* 397-399——Impression of the growing facility for reforming juvenile offenders; instance of this in the result of witness's experiment at Birmingham where, under very unfavourable circumstances, more than one-half of the boys were permanently reformed, *ib.* 521, 522——Deceptiveness of considering certain offences as indexes to the moral state of the boy, *ib.* 529-531——It is more easy to reform one guilty of a malicious offence than one guilty of theft, *ib.* 531——A proper restraint and a regular system of work are sufficient punishments for the purposes of reform, *Carpenter* 953, 954.

A boy on leaving a reformatory school seldom lapses into error; the discipline has formed his character anew, *Power* 1271, 1272——How far a purely reformatory treatment can be introduced into prisons, *Clay* 1621-1623. 1625——Opinion of witness that he could reform any child who could feel, and who possessed a mind to be convinced, *Ellis* 1720. 1729——The children in Parkhurst Prison soon see the difference between right and wrong, but they are very slow to practice the precept, *Spear* 3001, 3002——Upon second conviction witness would set aside all hope of deterring them, and set to work to reform them, *Jebb* 4152.

See also *Associates. Females. Parkhurst Prison. Reformatory Establishments. Shoe-black Society. Short Sentences. Treatment.*

REFORMATORY ESTABLISHMENTS:

1. *Suggestions for the Establishment of Institutions for the Reformation of Juvenile Delinquents.*
2. *System of Discipline and Instruction proposed to be pursued therein.*
3. *Observations as to the Class and Number of Juveniles to be confined in these Establishments.*
4. *Nature of the Building necessary for carrying out the proposed System.*

1. *Suggestions for the Establishment of Institutions for the Reformation of Juvenile Delinquents:*

Beneficial results of the system of discipline pursued in the existing reformatory establishments, *Williams* 185——Opinion that a great decline in the number of juvenile offenders would take place from the general adoption of the reformatory principle, *Hill* 580-582——Nature of the different schools, and the general system of reform proposed by witness, *ib.* 583 *et seq.*——Object of the reformatory school as distinguished from the industrial school and the day school, *ib.* 586, 587. 590-594——One great point is to place the boy in such a position that he may have all his good qualities called up, and his will enlisted to co-operate with all those who are trying to reform him, *Carpenter* 818-820. 863——Reasons why the system advocated by witness and others would check juvenile crime more than the present system does, *ib.* 821——Mode suggested for carrying these reformatory schools into practical effect, *ib.* 822. 863-865.

Reference to the recommendations of the Committee of Lords in 1847; objection to the words "on the principle of Parkhurst Prison," *Carpenter* 832, 833——Definition of a reformatory school as a place intended for those who have acted without discernment, *ib.* 895——These reformatories would eventually be used as a substitute for imprisonment in all cases of juvenile crime; occasional exceptions that might occur to this rule, *ib.* 965, 966. 969, 970. 972, 973. 975, 976——Reasons for concluding that any one system cannot suit all England, *ib.* 1069-1071——Witness would divide these schools into the reformatory school and the free industrial feeding school, *Power* 1176——Opinion with reference to the construction of these schools, that voluntary efforts and Government efforts are mutually a check and an advantage, *ib.* 1177——Reference to a return of Sir J. Pakington's, showing that ten reformatories, containing 200 each, would almost exhaust the number of juvenile offenders under thirteen years old, *ib.* 1304——Reference to Red Hill and evidence respecting similar institutions proposed to be established by witness in Norfolk, and at Birmingham and Manchester, *Ellis* 1751, 1752. 1754-1757. 1786.

Mode proposed for imprisoning children in reformatories, who are not sentenced to transportation, *Adams* 1952, 1953——Opinion that reformatory establishments, such as ragged schools, if conducted on the principle of kindness rather than of punishment, would be much more effective in reclaiming juvenile offenders than the prisons are, *M*——— 2209-2211. 2296-2302——General evidence respecting a reformatory establishment for 300 children suggested by witness, *Symons* 2443 *et seq.* 2501 *et seq.*——Calculations as to the entire expense of such an establishment, *ib.* 2448, 2449. 2515-2519——Witness would have one school for each county containing more than 400,000 persons;

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1. *Suggestions for the Establishment of Institutions, &c.*—continued.

persons; further consideration of his proposed plan, *Symons* 2468 *et seq.*——Preventive schools might be established and supported by private funds, not invested with the power of detention, and wholly under the management of voluntary committees, *MacGregor* 3577-3606. 3654, 3655——To these, juveniles should be sent by magistrates and courts of law, and a certain allowance of money paid by the parish, district, union, or county, leaving a quota to be defrayed by private benevolence, *ib.* 3577. 3586–3589.

As the most advantageous mode of treatment for juvenile offenders, witness recommends two descriptions of school, one a penal reformatory school, and the other a preventive school, *MacGregor* 3640——The establishment of reformatory and industrial schools for juvenile offenders would be most advantageous; their support might be provided for by a combination of voluntary effort and Government aid, *Wright* 3709-3712. 3722-3726. 3782-3785——Opinion that the reformation of juvenile criminals should be undertaken in completely separate institutions for that exclusive purpose, *Ball* 3863. 3950——The process of reformation cannot be so effectually carried out in prisons as in reformatory schools; still criminals should be subject to imprisonment, and made to feel they are under punishment for crimes committed, *Jebb* 4098–4100——Heads of a Bill for the establishment and management of penal reformatory county farm schools for juvenile offenders in certain counties in England; proposed by Mr. Jelinger Symons, *App.* 481.

2. *System of Discipline and Instruction proposed to be pursued therein:*

Reference to a book on "Reformatory Schools," &c. by Miss Carpenter, as giving details about the education, &c. to be pursued, *Hill* 412, 413——Opinion that the operation of individual action in reformatory schools is absolutely necessary, *Carpenter* 820. 822. 853–856. 863 *et seq.* 924–926——Explanation of the term "Individual action," *ib.* 863–865——Inducements under the reformatory system, whereby the boy becomes more happy and contented with his lot than he could at Parkhurst, or in any other prison, *ib.* 883–885——Suggested mode of dealing with large numbers in these establishments, especially if undertaken by Government, *ib.* 989, 990. 993——Consideration of the teaching and general system proposed for the reformatory establishment, *ib.* 1096–1105.

The only punishment for the boy should be to lead his mind out of the wrong way into the right way, which must in itself be a very harsh penalty, *Power* 1178——Opinion that the treatment of children in reformatories must be industrial, *Adams* 1874, 1875. 2021——This treatment should be accompanied by kindness and relaxation from labour, *ib.* 1875——The treatment of a school is much more suitable than that of a prison for young criminals, and should apply to all children under fourteen years of age, *Thomson* 3192–3195. 3197——Evidence generally with respect to the establishment of such reformatory institutions; mode of treatment to which destitute criminal juveniles should be subjected therein, *Ball* 3865–3870. 3923–3925——The reformatory schools should have a milder kind of discipline than that enforced in the penal establishments, but industrial training is of equal importance in these schools, *Jebb* 3999–4002.

3. *Observations as to the Class and Number of Juveniles to be confined in these Establishments:*

Reference to the advisability of limiting the number received in these schools, *Hill* 555. 617——Opinion that the admission into one of these schools of a boy of a very degraded character, would not have any pernicious effect, *Carpenter* 898, 899——The smaller the number of boys the better the effect, *ib.* 989——Witness would admit a boy, if under fourteen, a second time, and after a second offence, into a reformatory, provided there were a proper system of classification, which is absolutely essential, *Power* 1272–1275——Opinion that 300 or 400 children in one school could be made to work well, *ib.* 1305, 1306.

Recommendation that children of all classes should be sent promiscuously to the proposed reformatory schools, *Power* 1387. 1390, 1391——Proposed method of dealing with criminal children and destitute children; how far the parents of the latter might object to an association of the two classes, *Ellis* 1758–1762——Necessity for a broad distinction being drawn between poverty and crime in any schools established for destitute juveniles, *Jebb* 4101-4109——Evidence relative to the proposed reformatory schools and the class of juveniles to be admitted; it would be a great object to keep these children until they were otherwise disposed of, *ib.* 4122, 4123. 4135–4139.

4. *Nature of the Building necessary for carrying out the proposed System:*

Opinion that reformatory schools should not be guarded by a wall like prisons; absence of all physical restraint very desirable, as instanced in the case of the Massachusetts institution, *Hill* 554——A building cannot be too simple for a reformatory,

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Power 1186——Opinion that there is no need of confining the child by stone walls; evidence in corroboration of this opinion, *Symons* 2431. 2433, 2434.

See also *Aberdeen Industrial Feeding Schools. Ages of Children. Agricultural Labour. Aix Institution. America. Association*, 2. *Brook-street Industrial School. Chelsea School of Discipline. "City Arabs." Continent*, The. *Cost of Maintenance. County Rate. Dietary*, 2. *Discharged Children. District Prisons. District Schools. Earnings. Education*, 2. *Emigration*, 1. *Employment*, 2. *Erection of Reformatories. Females. First Offences. Funds. Germany. Government Aid. Houses of Detention. Industrial Schools. Inspection of Schools. Ipswich Reformatory Institution. Local Rates. Management of Schools. Manchester Female Refuge. Massachusetts Reformatory School. Mettray Institution. New York House of Refuge. Officers. Parents*, 5, 6. *Parkhurst Prison. Penal Schools. Period of Detention. Philanthropic Institution. Pupil Teachers. Rauhe Haus Reformatory Institution. Religious Instruction. Rhuysselede Institution* (Belgium). *Rochester House of Correction* (New York). *Schoolmasters. Secretary of State. Sentences. Stretton Reformatory Institution. Teachers. Voluntary Contributions.*

Refractory Children. Recommendation of empowering the parent to bring a refractory child into the industrial school, or into the penal reformatory school, as is frequently done in America, *Hill* 595, 596. 645.

Religious Instruction. General consideration of the question of religious instruction in the reformatory schools, *Hill* 621. 626-633; *Carpenter* 855. 867-875——Slight difficulty apprehended in carrying out a system of religious instruction amongst criminals generally, who for the most part are practically heathens, *Hill* 631-633——Religious prejudices existing between Protestants and Roman-catholics, *Carpenter* 855——Evidence on the subject of religious instruction, as regards various sects in the same school, *ib.* 867. 869-871——Mode of conducting the religious teaching where the community are much divided into sects, as in Manchester, *ib.* 999——The different religious belief held by the conductors of Hamburg, Mettray, and Red Hill institutions, has been no bar to the moral improvement of the children, *Power* 1160.

The system of education at Rauhe Haus, and similar establishments, stated as entirely of a Protestant character, *Bunsen* 1440. 1527-1530——Advantage of religious knowledge to the boys, and of making them believe that the eye of God is over all their actions, *Ellis* 1715. 1718. 1720——Proposed method of imparting religious instruction in the penal reformatory schools, *Symons* 2505-2511——Nature of the religious instruction imparted to the boys at Parkhurst, *Hall* 2631-2638. 2816-2826. 2828 *et seq.*——Mode of imparting religious instruction at Aberdeen when the boys belong to different religions, *Thomson* 3129——Observations upon the beneficial effect of the Christian instruction afforded in the Ragged Schools, *Oliphant* 3664——The introduction of moral and religious training is the principal means by which permanent reformation can be hoped to be obtained; at present the remuneration of chaplains of gaols in Ireland is not sufficient to enable them to devote their exclusive attention to the prisoners, *Ball* 3837-3840.

See also *Chaplains. Education*, 2. *Roman-catholic Clergy.*

Rewards, &c. Opinion that the custom of giving rewards and badges, in Parkhurst prison, for good conduct, operates very usefully, and that altogether the present system is working most satisfactorily, *Hall* 2676-2683——Nature of the rewards given to the boys for good conduct; the object of the prisoners in obtaining any mark of distinction, is chiefly that they may be looked up to as distinct from, and superior to, the other boys, *ib.* 2891-2898.——*See* also *Brook Street Industrial School.*

Rhuysselede Institution (Belgium). Evidence on the reform institution at Rhuysselede, in Belgium, which is entirely supported by Government, *Paynter* 698-708. 711. 728-731. 736, 737——This institution comprises a farm of about 200 acres, a large and spacious collection of buildings, and about 500 boys, *ib.* 702——These boys are not criminal offenders, but are all poor, and may be termed vagabonds from all parts of Belgium, *ib.* 704. 706-708——There are only seventeen officers, strictly so called, to 500 boys, *ib.* 704——Excellent manner in which this institution is managed, and industrious habits of the boys, *ib.* 704, 705——Coarseness of the fare at Rhuysselede, as contrasted with that in our reformatory institutions, *ib.* 711——Nature of the punishment inflicted at Rhuysselede, *ib.* 736, 737——Explanation of the law as determining fit inmates for the Rhuysselede institution, *ib.* 779.

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Rochester House of Correction (*New York*). At Rochester, in the State of New York, the State appropriated 60,000 dollars towards the erection of a house of refuge, and its support for the first year, *Power* 1233.

Roman-catholic Clergy. The only difficulty in the way of religious instruction under the poor-law system, has been raised by the Roman-catholic clergy, *Symons* 2510, 2511.

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Sanitary Improvements. Tendency of sanitary improvements to ameliorate the condition and character of the lower classes, *Williams* 148. 153. 158. 163.

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Schoolmasters. Consideration in detail of the question as to the qualification and appointment of masters for the proposed reformatory schools, *Carpenter* 875–882. 905–909. 914——Mode suggested for making a proper selection of masters, *ib.* 878–882. 914——The success of these schools would be in proportion to the efficiency of the masters, *ib.* 1085–1087——General evidence on the necessary qualifications of the masters, and how far they can be tested; facility of obtaining proper masters, *ib.* 1088–1093——Inefficiency of the masters of the ragged schools, *ib.* 1094, 1095——Evidence relative to the masters and mistresses at the Aberdeen industrial schools, who are very easily provided; amount of their remuneration, *Thomson* 3057–3064. 3066, 3067——The difficulty of procuring masters for ragged schools is gradually lessening; sources from which the masters are generally obtained, *Locke* 3390, 3391.

See also *Aberdeen Industrial Feeding Schools*, 3. *Teachers.*

Schools. Objection to combining penal and pauper schools, as producing an effect fatal to both, *Williams* 188–190. 212–214——Explanation of the cause why many children are inadmissible for the existing school establishments, *Hill* 402——Opinion that our schools for the young are conducted on an erroneous principle, *Clay* 1555. 1557, 1558——The existing schools for the poorer classes do not touch the lowest class of all, that is the dangerous class, or the "City Arabs," *Symons* 2393–2397.

See also *Chelsea School of Discipline. Free Schools. Government Schools. Industrial Schools. Inspection of Schools. Labouring Classes. Lower Orders. Management of Schools. National Schools. Pauper Schools. Quat School. Ragged Schools. Union Schools. Workhouse Schools.*

Scotland. There are not in Scotland any reformatory schools like those at Red-hill and Parkhurst, *Thomson* 3094——Enumeration of other places in Scotland besides Aberdeen, in which industrial feeding schools are established; satisfactory results of the schools at Dundee and Edinburgh, *ib.* 3095–3108. 3112–3114——Favourable impression of witness with regard to the establishments at Red-hill and Parkhurst; opinion that it is very desirable to introduce similar institutions into Scotland, *ib.* 3187–3192.

See also *Aberdeen Industrial Feeding School. Edinburgh. Treatment of Juveniles.*

Secretary of State. With regard to the sentences passed on juvenile criminals, the Secretary of State should have power to commute sentences of transportation and lengthened imprisonment to a certain term in the penal schools, *Jebb* 3992, 3993.

Sentences. Opinion that all juvenile offenders should undergo a portion of their penal sentences before being sent to a philanthropic institution, *Williams* 86–88——Objection to the custom of sentencing boys to transportation for slight offences merely with a view of their being sent to Parkhurst prison, *ib.* 165–170——Mischievous results arising from the disproportionate sentences passed on different boys, *Tracey* 750, 751——This evil arises from the different principles acted on in Middlesex by the respective magistrates, *ib.* 752, 753.

Difficulty of treating children in reformatory schools in proportion to the different sentences passed upon them by the judge; frequent anomaly of these sentences, *Carpenter* 920–923——Instance of a girl eleven years of age being sentenced to a year's solitary confinement for stealing a sovereign, *ib.* 942–944——Mischievous effects of passing sentences which are known to be unmeaning, *Adams* 2002–2004——The effect of the present system both as a punishment and also as a means of reclamation are much weakened by the circumstances attending the passing of the sentence, by what takes place where it has been undergone and where the criminal is discharged, *MacGregor* 3596——Injurious results of the present mode of passing sentence on juvenile offenders; all young persons should be excluded from criminal courts, *ib.*

See also *Imprisonment. Judges. Juvenile Offenders*, 2. *Short Sentences.*

Separate Confinement. Questionable propriety of placing together unconvicted children and juvenile offenders, *Turner* 338–342. 350–354. 356–359——Witness has the strongest aversion to separate confinement as applies to children, *Power* 1293, 1294——Suggestion that children under eighteen or under twenty-one should not be allowed to associate in prison,

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prison, *Clay* 1571. 1620——Practice at Preston of placing juvenile offenders in separate confinement; evidence in explanation and in favour of this system, *ib.* 1573–1580. 1586–1588. 1590 *et seq.*; 1634 *et seq.*——The virtual efficacy of the separate system depends upon the mode in which it is administered, *ib.* 1593. 1604——During eight years' trial of the separate system at Preston not one case of insanity has occurred, *ib.* 1594 ——Exclusive of the night the boy is alone for eight or nine hours daily, *ib.* 1595. 1609. 1634 ——Out of about 350 prisoners in Preston gaol there are 270 in separate confinement, *ib.* 1598——Age at which the children are subjected to separate confinement, *ib.* 1603. 1638.

Opinion that the visits of the chaplain, and the attention of the schoolmaster, &c. applied in conjunction with separate confinement, are calculated to do much good, *Clay* 1604. 1633——Reference to the answer to question 1293 opposed to separate confinement; reasons for differing with this opinion, *ib.* 1633——Reference to the separate system as practised at Pentonville, *ib.* 1639–1643. 1645——Necessity for juveniles being subject to separate confinement as a punishment introductory to reform, *MacGregor* 3590–3594; *Wright* 3767–3773; *Jebb* 4003. 4076–4078. 4087–4097——The large number of prisoners in confinement in Ireland since the famine is one great obstacle to the introduction of any large scale of the separate system into the gaols, *Ball* 3835, 3836—— With regard to the effect of previous separate confinement on the boys, witness has not observed any manifest moral distinction between the general tractability of such boys and of those who have not been subjected to the separate system before coming to Parkhurst, *Hall* 2857, 2858. 2860–2864. 2869——The means for carrying out separate confinement might be attached to each district penal prison, just as it is at Parkhurst, *Jebb* 4076–4078. 4087–4097.

See also *Employment*, 1. *Parkhurst Prison*, 1. *Silent System.* *Solitary Confinement.*

Shoe-black Society. Good resulting from the employment afforded to some of the children of the ragged schools by cleaning shoes in the streets; success of this experiment, *Locke* 3331–3339——The experiment of employing a class of boys called "broomers" to sweep the street pavements was also encouraging so far as it went, *ib.* 3340–3342 —— Evidence relative to the formation, nature and objects of the Shoe-black Society; employment of boys by the society selected from the schools in connexion with the ragged school union; manner in which the boys are selected, *MacGregor* 3444 *et seq.*——Detail of the course pursued by the society towards the boys employed by them; various occupations in which the boys are employed, *ib.* 3457–3498——Satisfactory results which have attended the exertions of the society in reforming the juvenile criminals, *ib.* 3457——The results of the exertions of the society show that the boys can be taken as nuisances from the streets, and as criminals from the gaols, be made useful servants to the public, able to earn an honest livelihood during their reformation, and finally become religious and respectable lads, *ib.*——Average earnings of the boys employed by the society, *ib.* 3467–3488.

The present number of boys employed as shoe-blacks is forty-five; opinion that there is employment for 200, *MacGregor* 3482. 3499. 3555——Statement as to the ultimate disposal of the boys who have been in the society's employment; number who have obtained situations, number apprenticed, number who have emigrated, &c., *ib.* 3499–3529 —— Satisfactory reports received by the society, of the conduct of the boys placed out, and sent abroad by them, *ib.* 3501——The operations of the society are not limited to the area of London; the boys are stationed all over the Metropolis, *ib.* 3530, 3531——Ages of the boys taken by the society, *ib.* 3532——State of the boys connected with the society as to education; it is proposed to form a school, and make the boys pay for instruction out of their earnings, *ib.* 3534–3539——General condition in life of the parents of the boys employed by the society, *ib.* 3540–3545.

The boys are compelled to attend the Ragged Schools of an evening, and to attend a place of worship on Sundays, *MacGregor* 3548–3551——Manner in which the amount of the earnings of the boys is checked by the society; in nearly all cases the boys have been found to be honest, *ib.* 3552, 3553——Opinion that an extension of the system adopted by the society is very desirable; great number of boys who might be employed in London, *ib.* 3554, 3555——The society has a code of rules for their general management, *ib.* 3560–3562——The society is entirely self-supporting, *ib.* 3563–3565——To extend the operations of the society, it only requires that individuals should come forward to undertake the management; the members of the society have as much to do as they can attend to, *ib.* 3566–3568——Statement of results arrived at from the experience of the Shoe-black Society, *ib.* 3569.

So far from there being any objection of the parents to the employment of their children by the society, there are continual applications being made to the society by parents on behalf of their children, *MacGregor* 3570, 3571——Explanation as to the mode in which boys are selected from the Ragged Schools for employment by the Shoe-black Society, *MacGregor* 3572–3576; *Oliphant* 3664——Besides the employment of boys by the Shoe-black Society, girls are found employment in cleaning door-steps, *MacGregor*

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3599-3601——Witness is one of the original members of the Shoe-black Society; concurs with the evidence given by Mr. MacGregor upon the subject of that society, *Oliphant* 3659-3662——Manner in which a sick fund is raised for the boys in connexion with the Shoe-black Society, *ib.* 3664——Manner in which the honesty of the boys employed by the society is tested, *ib.*——*See* also *Emigration*, 3.

Short Sentences. Opinion that a slight imprisonment can produce no reformatory process in the boys, *Paynter* 694, 695——The lives of many of these boys are spent almost entirely in prison on short sentences, *ib.* 695—— One defect of the present system is the short term of imprisonment, *Tracey* 754. 757-759; *Power* 1114, 1115; *Adams* 1949, 1950——Opinion in favour of short terms of imprisonment for juvenile offenders, *Wright* 3774, 3775——Impossibility of carrying out a system of reforming young criminals who are only committed for short periods; this difficulty is dwelt upon in the reports of the Inspectors-general of Prisons in Ireland, *Ball* 3841.

Silent System. Inferiority of the silent system to the separate system, *Clay* 1581-1587. 1605. 1646——Reference to the silent associated system pursued at the Westminster Bridewell, *Adams* 1969-1971.

Solitary Confinement. Opinion that the effects of solitary confinement are very salutary, *Spear* 3009-3011.

See also *Prison Discipline.* *Separate Confinement.*

Spear, Rev. *John Joseph.* (Analysis of his Evidence.)—Chaplain and superintendent of the juvenile ward at Parkhurst, 2899-2922——Manner in which the duties are divided between witness and the other chaplain, 2900, 2901——Different ages at which the boys are sent into the junior ward, 2902-2904——Daily duties performed by witness as chaplain of this ward, 2905 *et seq.*—— The only punishment which witness has the power to inflict is that of bread and water; all cases requiring severer treatment must be reported to the governor, 2909. 2911, 2912. 3016, 3017——Constant personal communication occurring between the prisoners and witness, 2909, 2910. 2913. 2915. 2917—— There are two schoolmasters employed in giving school instruction, 2916.

The governor always consults witness in deciding upon lengthening or shortening the usual term of confinement in the probationary ward; opinion that this term of four months is a very proper time, and that this part of the system needs no alteration, 2920-2926—— Manner in which the general religious duties are undertaken at Parkhurst, 2929-2947——Properly trained schoolmasters, instead of the present warders, would be a great advantage to the establishment at Parkhurst, 2948-2957——There are at present about 200 boys in witness's department, and only eleven are under probation in separate confinement; the latter are visited by him daily in their cells, 2958-2964.

It is difficult to say at what time improvement commences under the probationary treatment, 2965——The plan of giving intellectual enjoyment to the boys holds out more prospect for the reformation of character than any other plan; encouraging results of this system, as pursued at Parkhurst, 2966-2972 —— Different causes to which witness attributes the original misconduct of the boys; a large proportion of juvenile criminality is occasioned by parental ill treatment or neglect, 2973-2979. 3003, 3004 ——It is very desirable to deal with boys as early as possible after their first offence, as is the object of the Red-hill Philanthropic Institution, inasmuch as the coercion practised at Parkhurst is only in consequence of the prisoners being mostly of a somewhat advanced class of offenders, 2980-2982. 2995-2998.

State of intelligence and instruction of the boys on coming to Parkhurst; they are mostly very ill instructed, and quite ignorant of religion, 2983-2988. 3005-3008——The youngest boys are generally the most difficult to manage, 2990——On the whole there is much benefit derived from the indiscriminate association of the boys, and from the fact of there being no classification as to degrees of crime; there is no greater mixture of character in Parkhurst than in many schools, 2991-2994——Witness has not found that the most criminal boys are the most obedient to prison discipline, 2999, 3000—— The children soon see the difference between right and wrong, but they are very slow to practise the precept, 3001, 3002—— The effects of solitary confinement are very salutary, 3009-3011.

The general tone of the system pursued at Parkhurst is most satisfactory; the boys are now very amenable to proper discipline, 3012-3015——Corporal punishment is never resorted to, except in extreme cases, but then it has a very good effect, 3017, 3018—— There is no communication kept up between the boys at Parkhurst and those in the colonies; a colonial life is looked upon by nearly all the boys as a reward rather than as a punishment, 3019, 3020.

Stolen Goods. The facility of disposing of stolen articles to Jews and others is a great source of crime, *Adams* 1841, 1842; *M*—— 2172, 2173.

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Street Sweeping. The whole sanitary condition of London might be attended to by boys, and the street sweeping performed by them, which would provide employment for 2,000 or 3,000, *MacGregor* 3555–3559.

Stretton Reformatory Institution (Warwick). Reference to the reformatory institution at Stretton-on-Dunsmoor, in Warwickshire, and results derivable from it, *Hill* 420–426 ——Evidence respecting the system pursued at Stretton-on-Dunsmoor, and general information respecting this institution, *Adams* 1850–1853. 1873. 1876. 1977, 1978.

Summary Jurisdiction. Witness used to try about 400 boys at the Middlesex Quarter Sessions, but since the passing of the Act for Summary Jurisdiction that number has dwindled down to sixty or seventy, *Adams* 1850——Difference existing between the prison inspectors and witness with respect to summary jurisdiction; instance of this in the case of Thomas Miller, who was repeatedly convicted before twelve years of age, *ib.* 1872. 2026——Reference to the case of Edward Joghill, aged ten years, now at Redhill; within the last two years he has been eight times summarily convicted, *ib.*—— Objections to the operation of the Summary Conviction Act, *ib.* 1910, 1911. 1913. 1918.

Sureties. Suggestions with reference to sureties, contained in a report by witness on a communication made by the Privy Council on Education, *Williams* 95–105——Probable effects of these sureties, and the mode of assessing them, *ib.* 106 *et seq.* 164, 165. 201 ——The acceptance of sureties for the children should be optional with the magistrate, *Hill* 513–515.——*See* also *Parents*, 4.

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Wright, Thomas. (Analysis of his Evidence.)—Resides at Manchester; has for upwards of twenty years taken a lively interest in the subject of juvenile offenders, 3689-3691——With regard to a great number of juvenile offenders who get into Manchester Gaol, it is in consequence of their having bad parents by whom they are totally neglected, 3691——The only mode of diminishing crime is to have institutions for the reception of juvenile offenders on their discharge from prison for the first offence, where they can be educated, and trades taught them, 3691-3693——Establishment of a refuge for females in Manchester, for their reception on being discharged from prison; particulars relative to this institution; beneficial results thereof, 3694-3704. 3740-3742.

Observations relative to the Penitentiary at Manchester for the reformation of female prisoners; instruction afforded and beneficial effects resulting therefrom, 3704-3708. 3743-3746——The establishment of reformatory and industrial schools for juvenile offenders would be most advantageous; their support might be provided for by a combination of voluntary effort and Government aid, 3709-3712. 3722-3726. 3782-3785——Evidence as to the school for the reformation of juvenile offenders at Red Hill; beneficial results arising therefrom, 3712-3721——Remarks relative to the Industrial School at Liverpool; approval of the principle of that school, 3727, 3728. 3732-3734——Industrial training is of very great importance, 3735——With regard to the establishment of industrial training schools, it would be preferable that they should be established in the country, and not in large towns, on account of obtaining out-of-door employment, 3736-3738.

Juveniles should be subject to imprisonment before admission into the reformatory schools, except in cases of extreme youth, 3747-3753——Evidence relative to the Ragged Industrial School in Manchester; this school is not sufficient for the whole town, 3754-3766——Importance of juvenile offenders undergoing their imprisonment in separate confinement; injurious effects of association in gaol, 3767-3773——Opinion in favour of short terms of imprisonment for juvenile offenders, 3774, 3775.

Carrying out some stringent regulation relative to theatres, public-houses, betting houses, &c., would be very advantageous; many of the juvenile criminals trace their corruption to these sources, 3779-3781——Great number of criminals in the gaols of Manchester, 3785, 3786——Remarks relative to the employment of children in the mills and factories in Manchester; their employment in the mills does not dispose them to the commission of criminal acts, 3787-3799——Large number of vagrant children in Manchester; they are generally Irish, 3800, 3801——The subject of effecting a change in the treatment of criminal children has not excited any attention in Manchester, 3802-3804——A great number of the existing evils may be traced to the neglect of parents and their homes by the lower orders, 3805-3808.

The parents of children who have been reformed and placed in employment by witness's means have shown great gratitude for the efforts towards their children; witness's exertions are fully appreciated by the labouring population, 3809-3812——Witness does not consider that any attempt to reform and educate criminal children in a systematic manner would be regarded as a premium to crime on the part of honest parents, 3813, 3814——Witness's efforts have been instrumental in reclaiming somewhat better than 300 juvenile offenders, 3815——Witness has frequently become security for criminals for whom he has obtained employment, and has never had but one failure, 3816-3820.